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June 23, 2003

BY ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W. - Suite TW-A325
Washington, D.C. 20554

Re: *Oral Ex Parte Presentation*
In the Matter of Performance Measurements and Standards for Interstate Special Access Services, CC Docket No. 01-321

Dear Ms. Dortch:

On June 20, 2003, representatives of the Joint Competitive Industry Group (JCIG) met with Mark Stephens, Hugh Boyle, Peter Young, Trent Harkrader, Anthony Dale, Maureen del Duca and William Davenport of the FCC's Enforcement Bureau to discuss the above-referenced proceeding. The JCIG representatives attending the meeting included: Jonathan Askin of ALTS; Michael Pryor of Mintz, Levin, counsel for AT&T and AT&T Wireless; Steve Augustino of Kelley, Drye, counsel for Cable & Wireless; Lisa Smith of MCI; and Ruth Milkman of Lawler, Metzger & Milkman, counsel for MCI. During the meeting, JCIG reiterated the difficulties that both users and carriers have encountered in obtaining interstate special access services on a timely and efficient basis from incumbent local exchange carriers (LECs). JCIG also described its proposed solution to these problems, including performance measures and standards, reporting requirements and enforcement mechanisms. JCIG also provided copies of the attached documents. In addition, JCIG provided by e-mail a copy of a previously-filed document explaining the basis for JCIG's proposed performance standards.

In accordance with the Commission's rules, this letter is being provided to you for inclusion in the public record of the above-referenced proceeding.

Sincerely,

Gil M. Strobel

Attachments

cc: Hugh Boyle
Anthony Dale
William Davenport
Maureen del Duca
Trent Harkrader
Mark Stephens
Peter Young

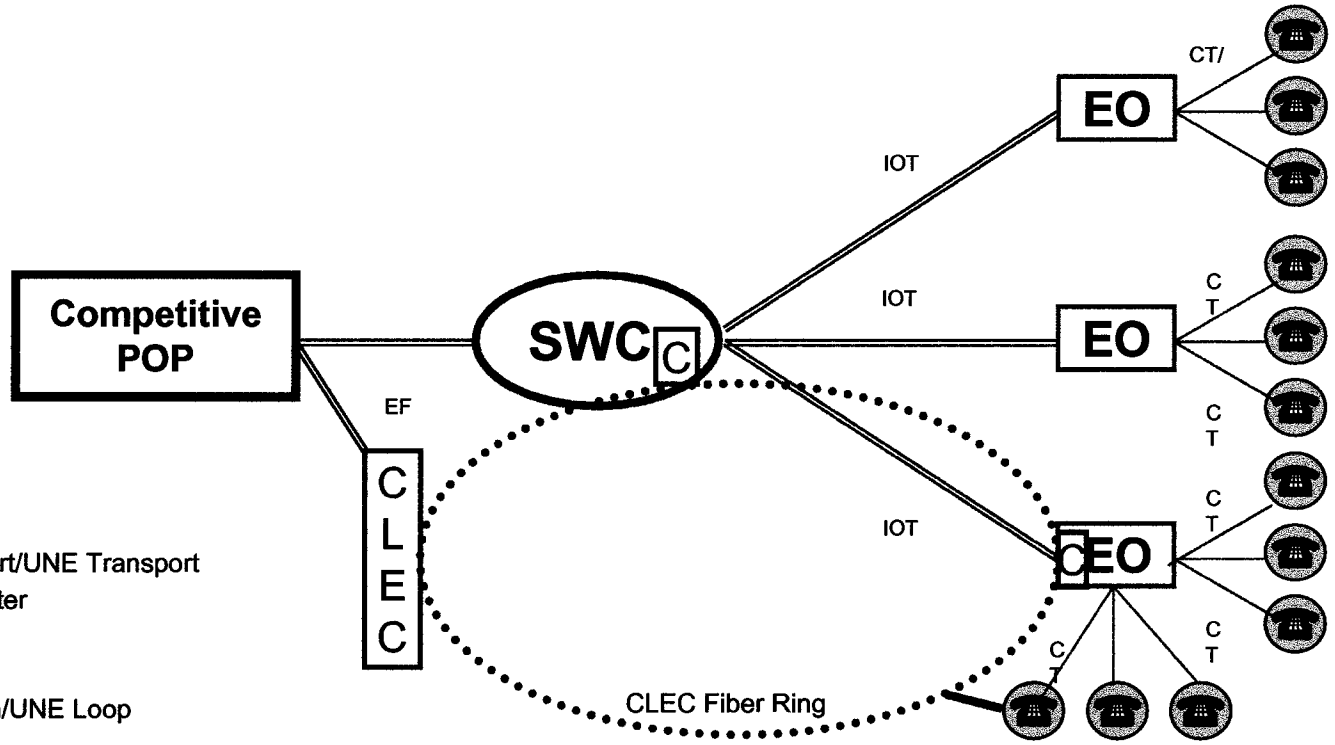
Improving ILEC Provisioning of Interstate Special Access Services

Joint Competitive Industry Group Proposal

June 20, 2003

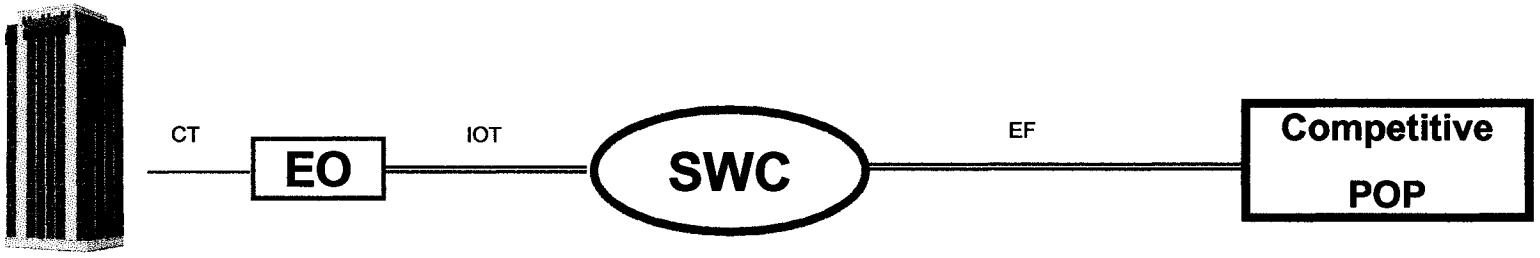
What is Special Access?

- Special access is:
  - Dedicated (unswitched) links between end-users and a competitor's POP
  - Provided via the same facilities used to supply UNE loops and transport
  - Widely used by competitive carriers for interoffice facilities and local loops
  - Used by enterprise customers to connect branch offices



POP - Point of Presence
IOT - Inter Office Transport/UNE Transport
SWC - ILEC Switching Center
EO - ILEC End Office
EF - Entrance Facilities
CT - Channel Termination/UNE Loop
C - CLEC Collocation

End Users Rely on Special Access to Connect to a Competitive Carrier's Network or to Connect Branch Offices



POP - Point of Presence
IOT - Inter Office Transport/UNE Transport
SWC - ILEC Switching Center
EO - ILEC End Office
EF - Entrance Facilities
CT - Channel Termination/UNE Loop

JCIG Has Proposed a Comprehensive "Turn-key" Solution to Problems with ILEC Special Access Performance

- Tier 1 ILECs would measure their performance on key special access activities
- ILECs would also be held to objective standards designed to prevent unjust, unreasonable or unreasonably discriminatory practices
- To facilitate detection of unreasonably discriminatory treatment, the ILECs would then report on their performance
  - On a customer-specific basis for ILEC customer
  - On an aggregated basis for the following groups: competitive wireline providers; competitive commercial mobile radio service (CMRS) providers; incumbent LEC wireline affiliates; incumbent LEC CMRS affiliates; and end users
- Enforcement mechanisms would ensure that sub-standard or unreasonably discriminatory performance would result in appropriate payment to carriers and/or forfeitures

How Do We Measure Performance?

❑ Eight Core Measures Capture Ordering and Provisioning

- FOC Receipt
- FOC Receipt Past Due
- Offered Versus Requested Due Date
- On Time Performance To FOC Due Date
- Days Late (when FOC Due Date missed)
- Average Intervals – Requested / Offered / Installation
- Past Due Circuits
- New Installation Trouble Report Rate

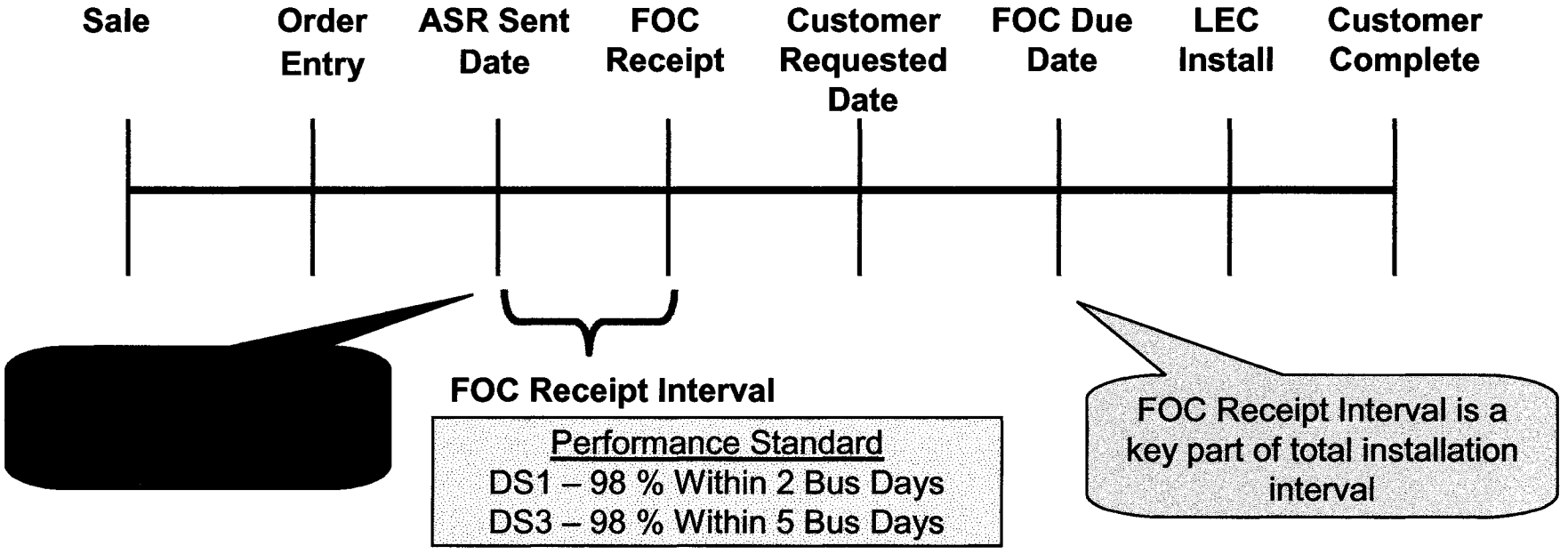
❑ Three Key Measures for Maintenance and Repair

- Failure Rate
- Mean Time to Restore
- Repeat Trouble Report Rate

How Do We Measure Ordering Performance?

FOC Receipt

DEFINITION: Measures the interval between the time a Competing Carrier, or very large end-user customer, sends an Access Service Request (ASR) and the return of a Firm Order Confirmation (FOC), with a Committed Due Date, by the ILEC

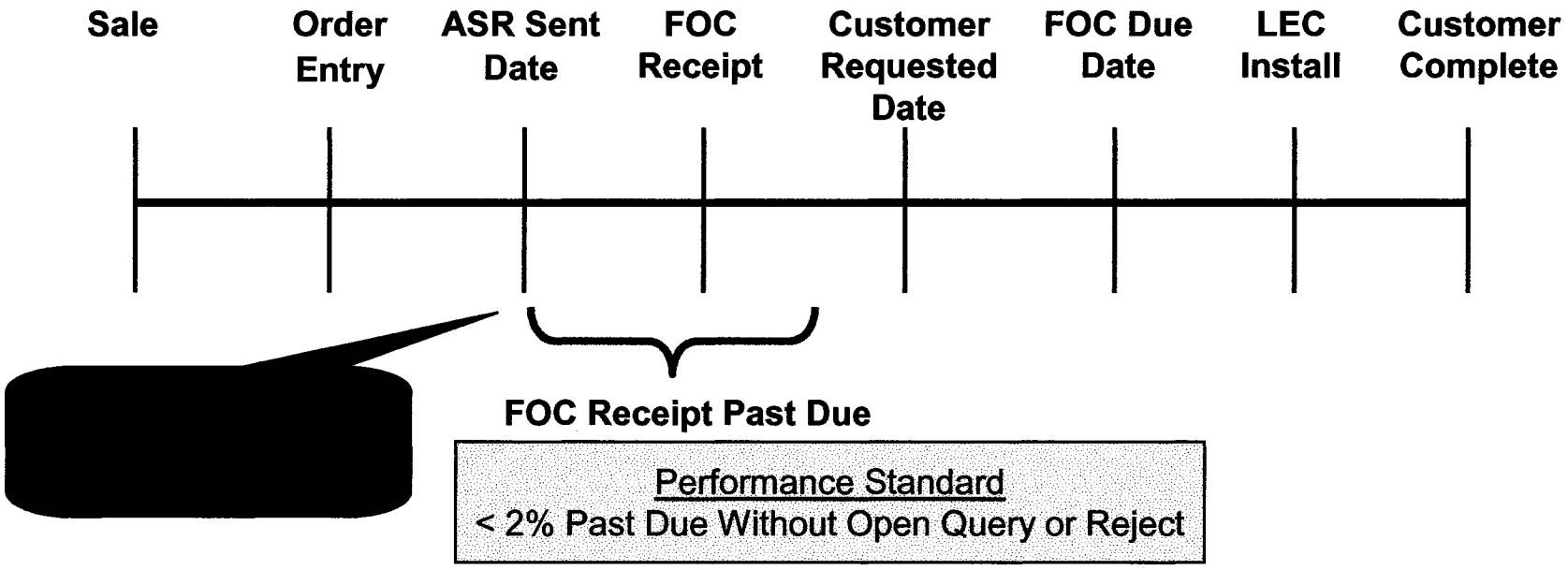


BUSINESS NEED: Provides the Competing Carrier, or very large end-user customer, with the date to expect the installation or other work to be done.

How Do We Measure Ordering Performance? (cont'd)

FOC Receipt Past Due

DEFINITION: Tracks all open ASR requests that have not received an FOC from the ILEC, within the expected FOC receipt interval, as of the last day of the reporting period.

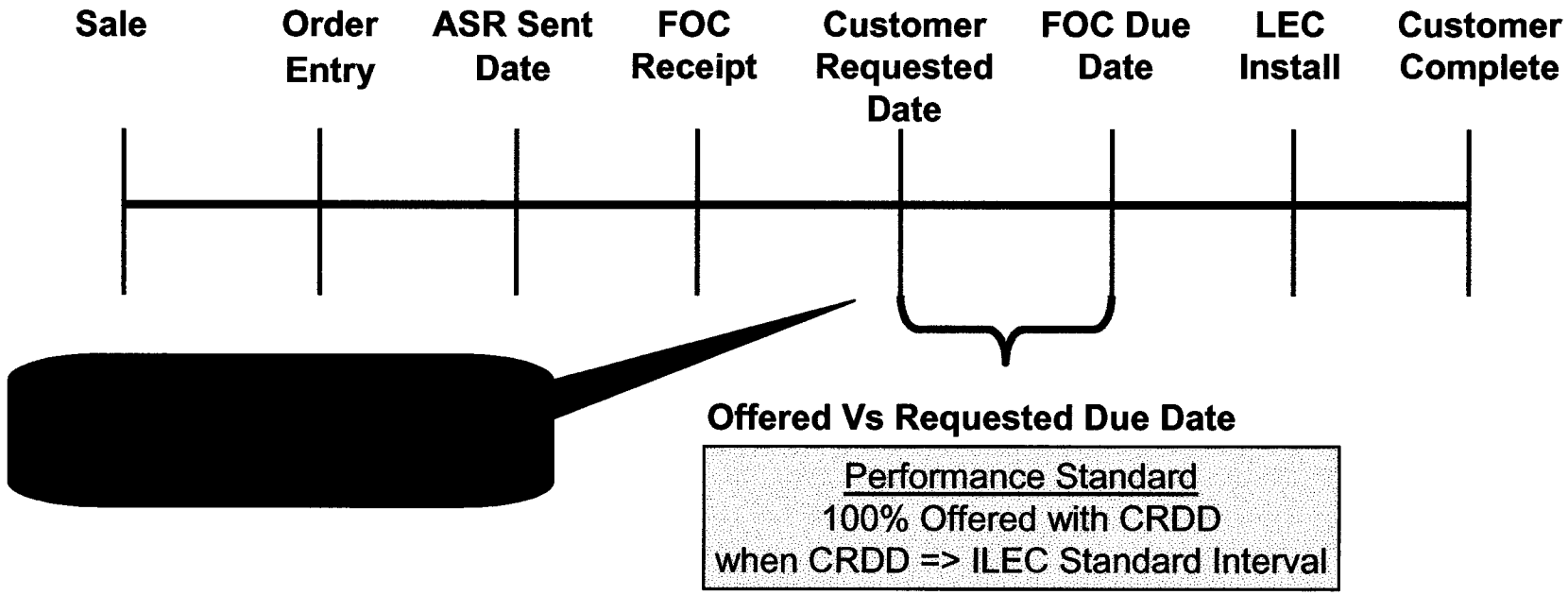


BUSINESS NEED: Measures the magnitude of late FOCs and is essential to ensure that FOCs are being received in a timely manner from the ILECs

How Do We Measure Ordering Performance? (cont'd)

Offered Versus Requested Due Date

DEFINITION: Measures the Percentage of time the FOC Due Date is equal to the Customer Requested Due date when the date requested is equal to or greater than the ILEC Standard Interval

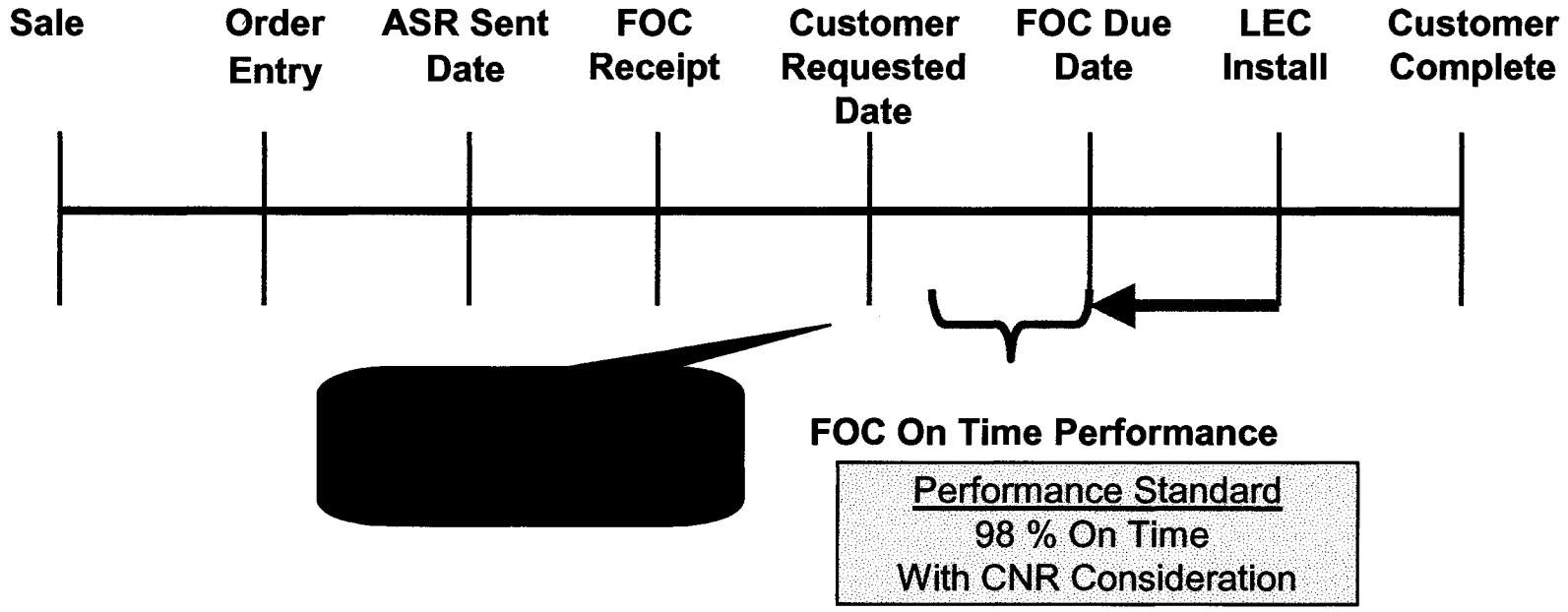


BUSINESS NEED: Reflects the degree to which the ILEC is committing to install service on the Customer Requested Due Date.

How Do We Measure Provisioning Performance?

On Time Performance To FOC Due Date

DEFINITION: Measures the percentage of time that the ILEC completes the installation on or before the FOC Due Date with CNR (Customer Not Ready) consideration. CNR coded orders are counted as an appointment met

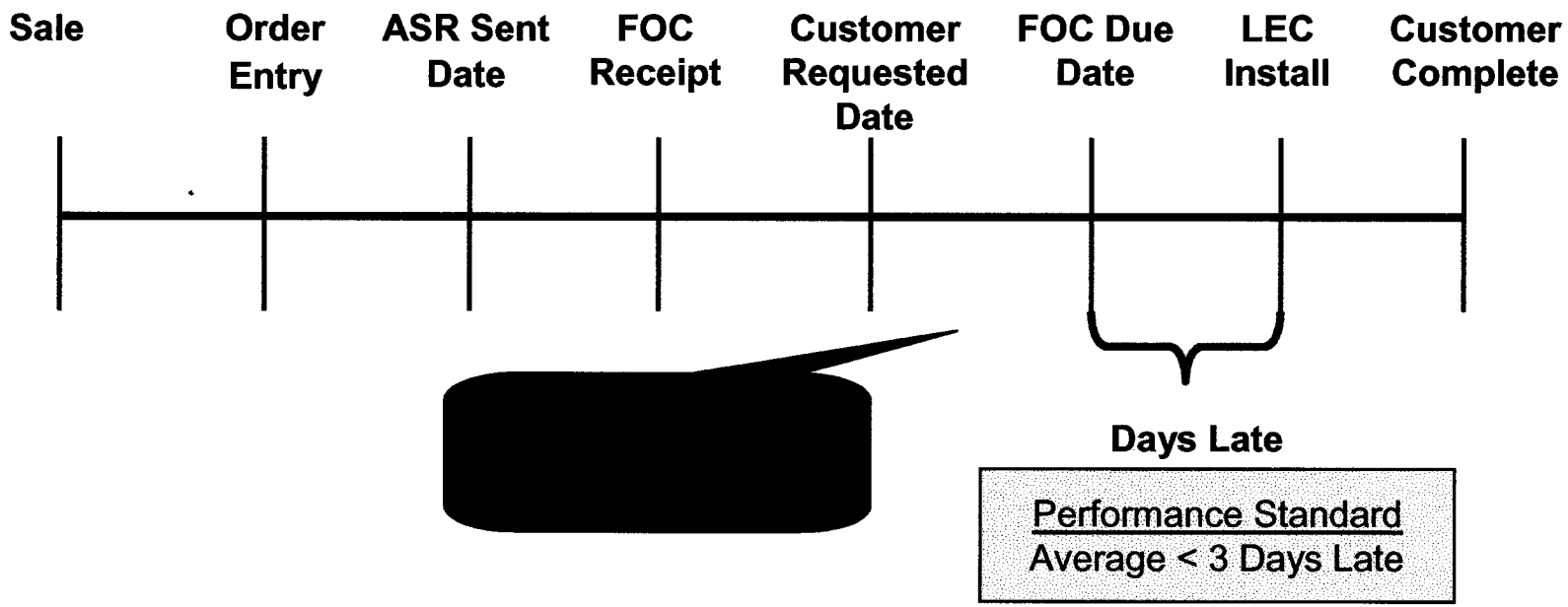


BUSINESS NEED: Indicates the degree of reliability of the ILEC in meeting its own committed due date

How Do We Measure Provisioning Performance? (cont'd)

Days Late

DEFINITION: Measures the average days late for those orders not completed by the FOC Due Date

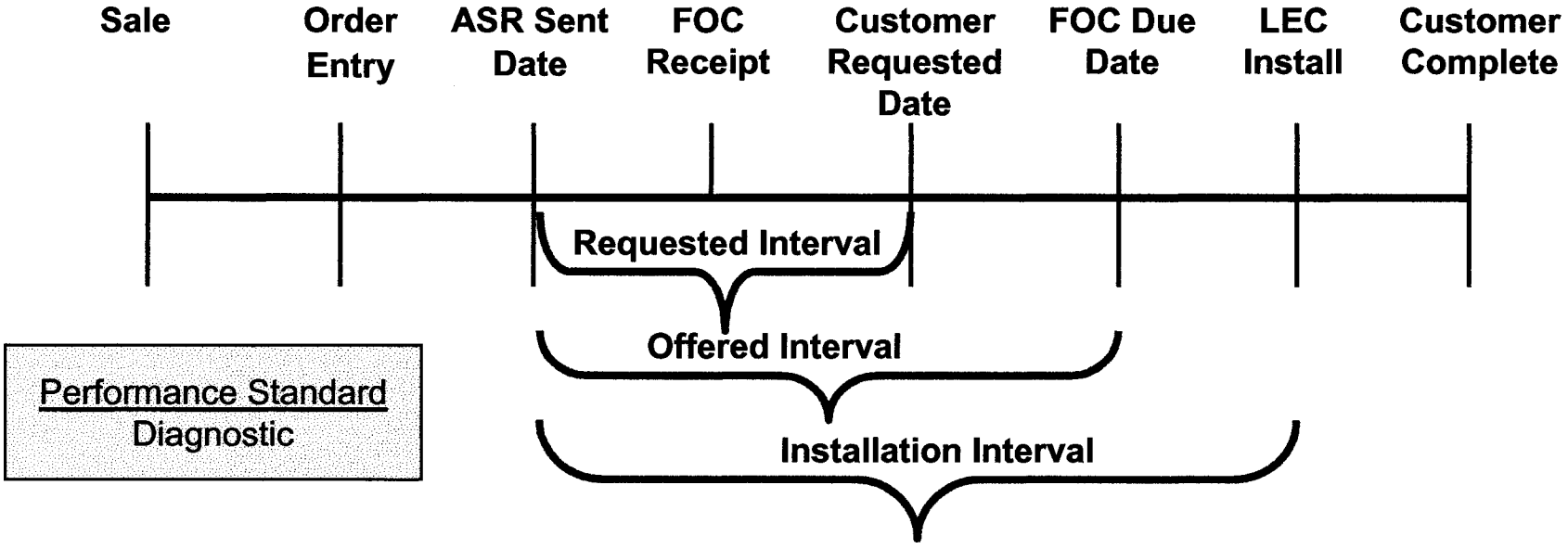


BUSINESS NEED: Reflects the magnitude of the ILEC failure to meet their committed date

How Do We Measure Provisioning Performance? (cont'd)

Average Intervals – Requested / Offered / Installation

DEFINITION: Measures the intervals between the date the Competing Carrier (or very large end-user customer) sends the last "clean" ASR and the Customer Requested Due Date, the Offered FOC Due Date, and the Actual Installation Date

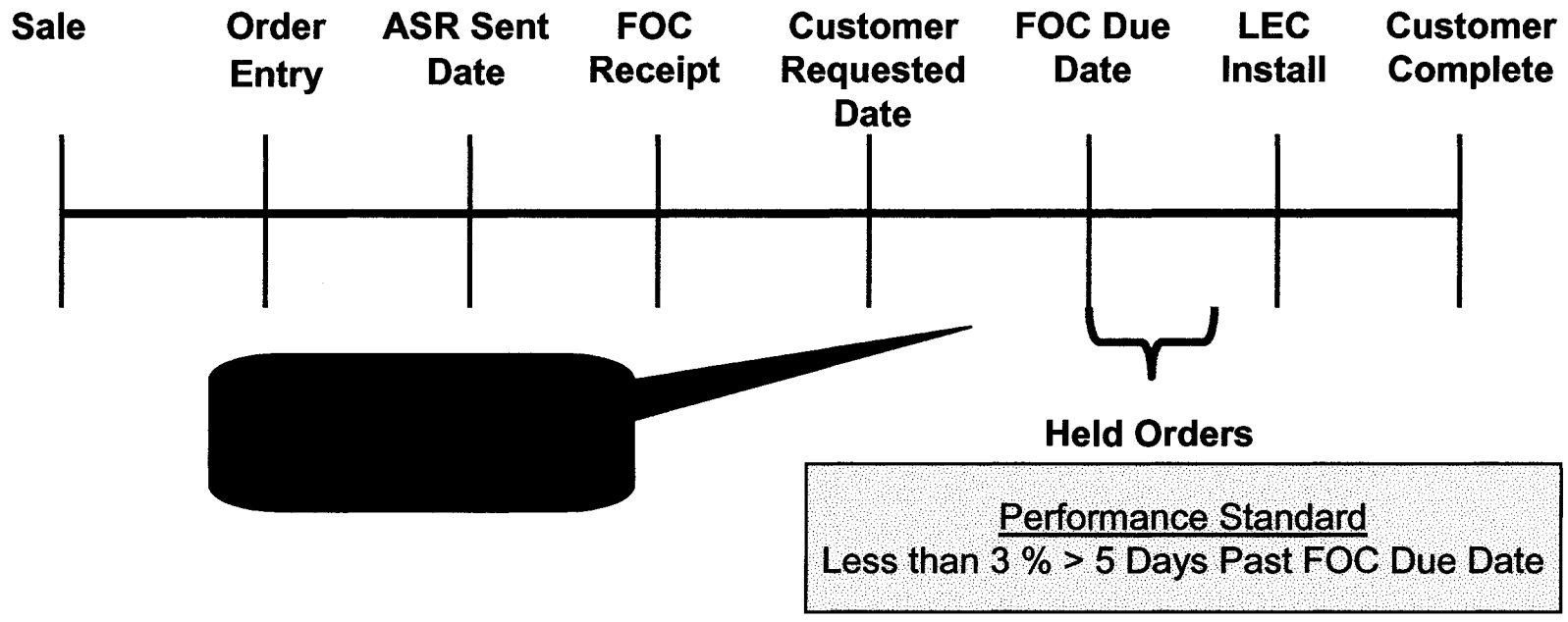


BUSINESS NEED: The average intervals provide a comprehensive view of provisioning with the ultimate goal to have the three intervals equal

How Do We Measure Provisioning Performance? (cont'd)

Past Due Circuits

DEFINITION: Provides a snapshot view of Circuits that are past the FOC Due Date as of the end of the reporting period



BUSINESS NEED: Captures order backlog by monitoring the status of past due orders.

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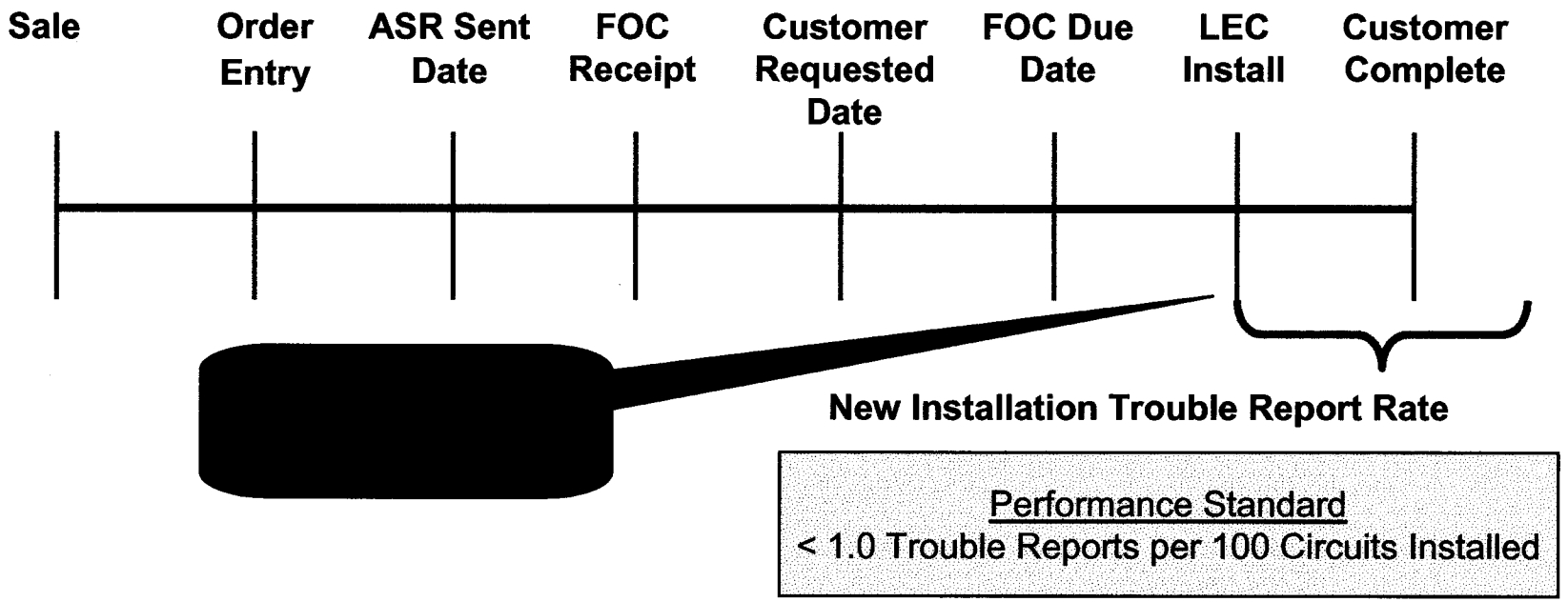
How Do We Measure Provisioning Performance? (cont'd)

New Installation Trouble Report Rate

DEFINITION: Captures the rate of trouble reports on new circuits within 30 calendar days of the installation



Performance Standard
< 1.0 Trouble Reports per 100 Circuits Installed

BUSINESS NEED: Measures the quality of the installation work provided

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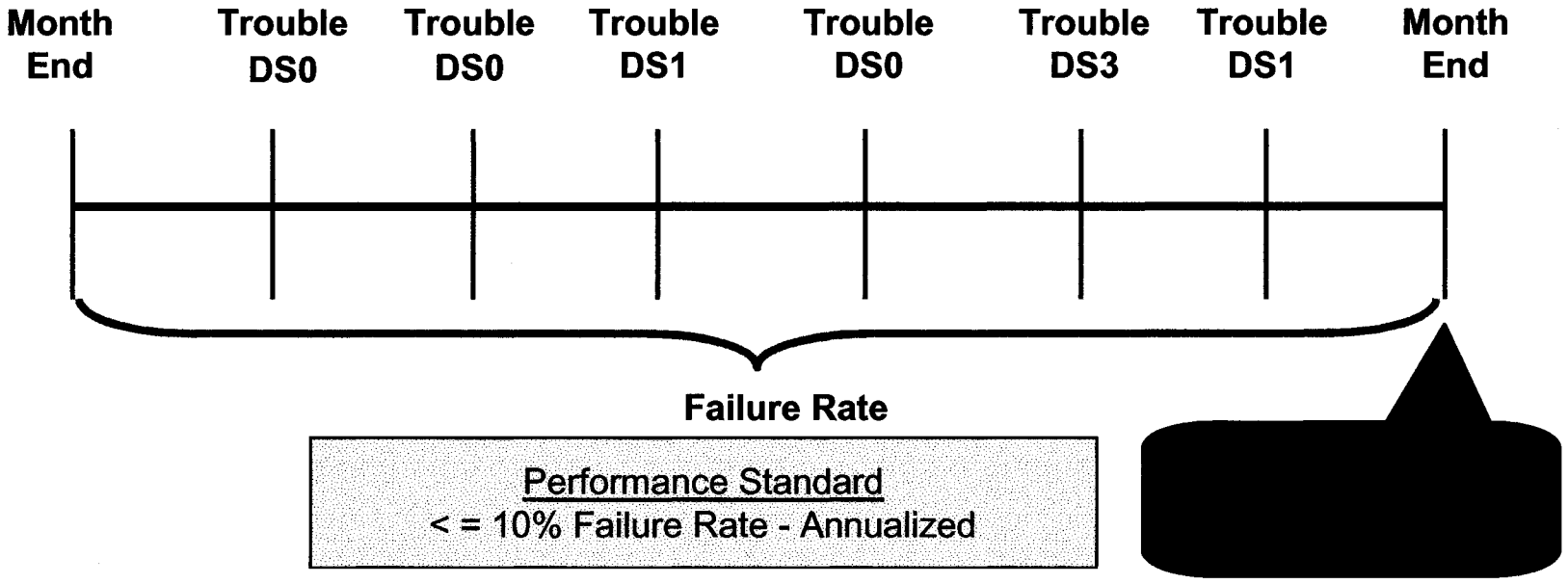
How Do We Measure Maintenance & Repair ?

Failure Rate

DEFINITION: The number of troubles resolved during the reporting period divided by the total number of "in service circuits" at the end of the reporting period, displayed as an annualized rate



BUSINESS NEED: Measures the overall quality of the circuits being provided

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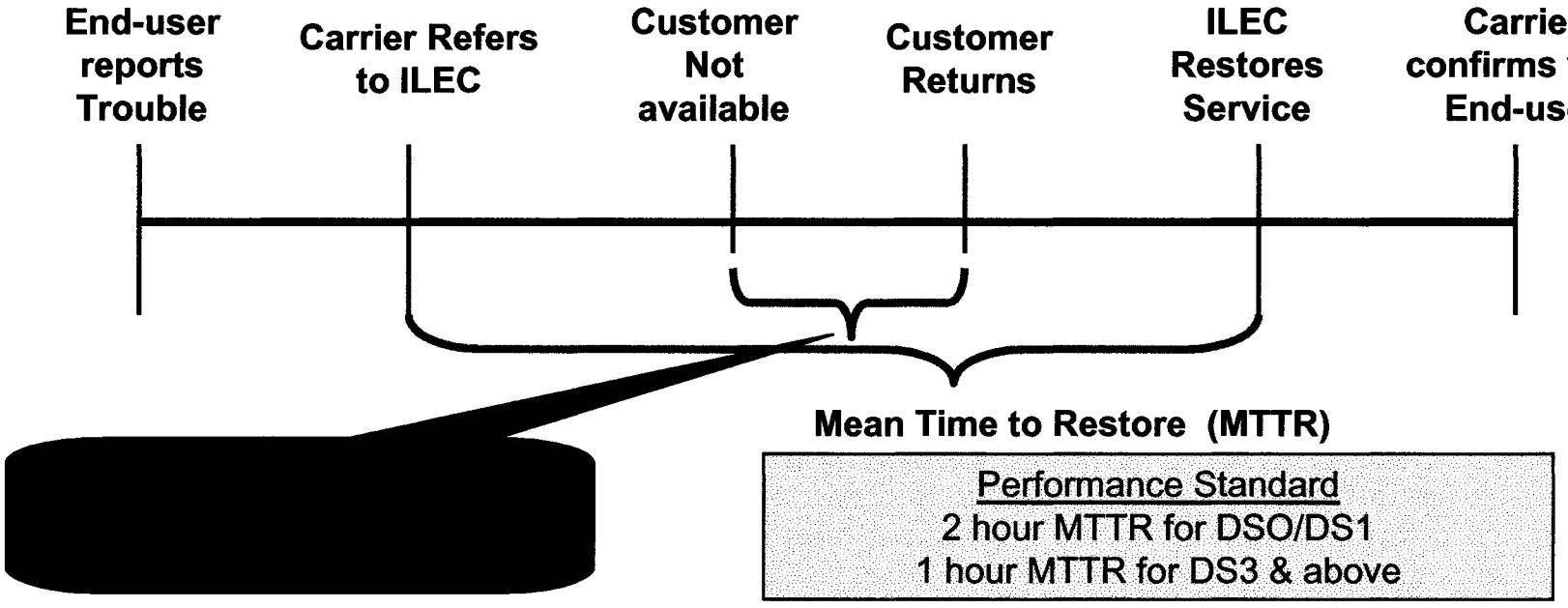
How Do We Measure Maintenance & Repair ? (cont'd)

Mean Time to Restore

DEFINITION: Measures the promptness in restoring circuits to normal operating levels when a problem is referred to the ILEC for resolution.



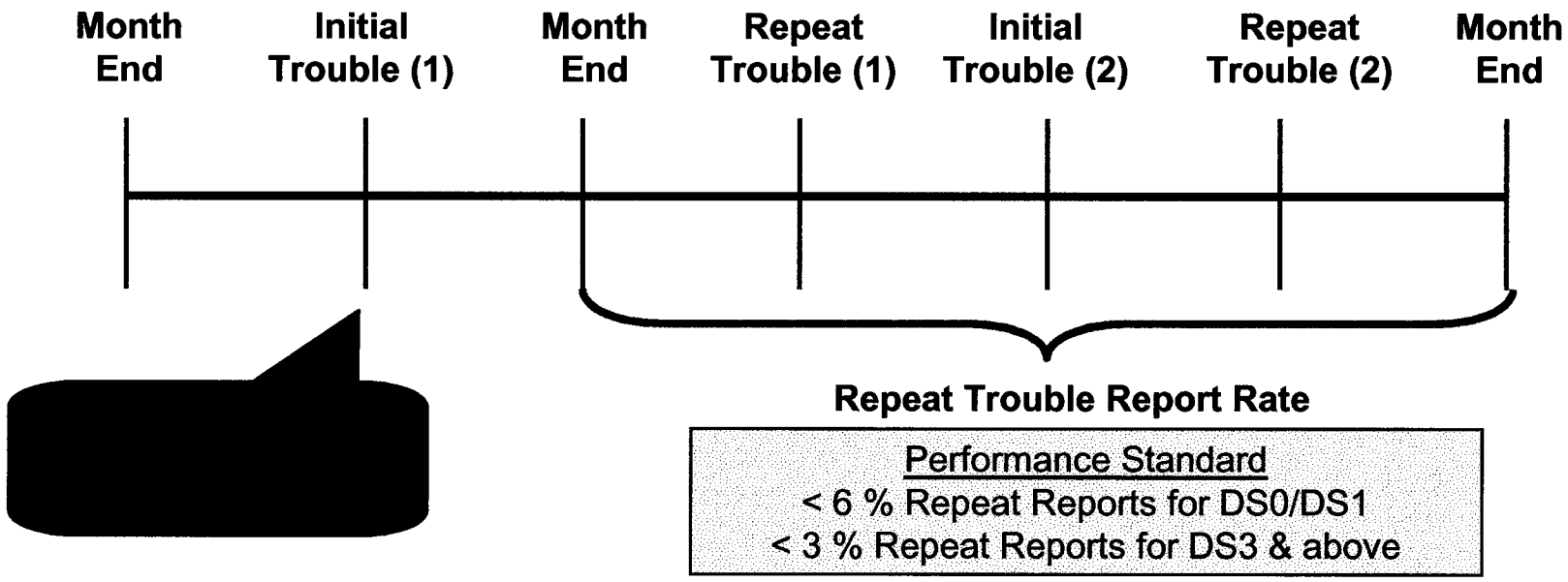
BUSINESS NEED: Captures the responsiveness of the ILEC in restoring circuits with trouble conditions

.

How Do We Measure Maintenance & Repair ? (cont'd)

Repeat Trouble Report Rate

DEFINITION: The percent of maintenance troubles resolved during the reporting period that had at least one prior trouble ticket, on the same circuit, at any time in the preceding 30 calendar days from the creation of the current trouble report.



BUSINESS NEED: Measures the quality of the maintenance work performed

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ATTACHMENT A

Joint Competitive Industry Group Proposal

ILEC PERFORMANCE MEASUREMENTS & STANDARDS

in the

Ordering, Provisioning,

and

Maintenance & Repair

of

SPECIAL ACCESS SERVICE

Version 1.1

Issued: January 18, 2002

TABLE OF CONTENTS

Reporting Dimensions

CLEC or IXC Carrier specific total, with the following reporting dimensions for all measurements.

- Special Access disaggregated by bandwidth
  Sub Totaled by State
  Totaled by ILEC

Comparison reports are required for:

- CLEC/ IXC Carrier Aggregate
- ILEC Affiliates Aggregate

Special Access is any exchange access service that provides a transmission path between two or more points, either directly, or through a central office, where bridging or multiplexing functions are performed, not utilizing ILEC end office switches.

Special access services include dedicated and shared facilities configured to support analog/voice grade service, metallic and/or telegraph service, audio, video, digital data service (DDS), digital transport and high capacity service (DS1, DS3 and OCn), collocation transport, links for SS7 signaling and database queries, SONET access including OC-192 based dedicated SONET ring access, and broadband services.

Exclusions: Transmission path requests pursuant to an Interconnection Agreement for Unbundled Network Elements are excluded from these Performance Measures.

Reporting Period: The reporting period is the calendar month, unless otherwise noted, with all averages or percentages displayed to one decimal point.

ILEC Performance Measurements and Standards

ORDERING

Measurement: JIP-SA-1 FOC Receipt

Description

The Firm Order Confirmation (FOC) is the ILEC response to an Access Service Request (ASR), whether an initial or supplement ASR, that provides the CLEC or IXC Carrier with the specific Due Date on which the requested circuit or circuits will be installed. The expectation is that the ILEC will conduct a minimum of an electronic facilities check to ensure due dates delivered in FOCs can be relied upon. The performance standard for FOCs received within the standard interval is expressed as a percentage of the total FOCs received during the reporting period. A diagnostic distribution is required along with a count of ASRs withdrawn at the ILEC's request due to a lack of ILEC facilities or otherwise.

Calculation Methodology

Percent Meeting Performance Standard:
[Count FOCs received where (FOC Receipt Date – ASR Sent Date) < = Performance Standard] / Total FOCs received during reporting period x 100

FOC Receipt - Distribution:
(FOC Receipt Date – ASR Sent Date), for each FOC received during reporting period, distributed by:
0 day, 1 day, 2 days, through 10 days and > 10 days

ASRs Withdrawn at ILEC Request due to a lack of ILEC Facilities or Otherwise
Count of ASRs, which have not yet received a FOC, Withdrawn at ILEC Request, during the current reporting period, due to a lack of ILEC facilities or otherwise

Business Rules

1. Counts are based on each instance of a FOC received from the ILEC. If one or more Supplement ASRs are issued to correct or change a request, each corresponding FOC, which is received during the reporting period, is counted and measured.
2. Days shown are business days, Monday to Friday, excluding National Holidays. Activity starting on a weekend, or holiday, will reflect a start date of the next business day, and activity ending on a weekend, or holiday, will be calculated with an end date of the last previous business day.
3. Projects are included. Determination of what is identified as a project varies by ILEC and should not alter the need to ensure that service is provided within expected intervals.

Exclusions

- Unsolicited FOCs
- Disconnect ASRs
- Cancelled ASRs
- Record ASRs

Levels of Disaggregation

- DS0
- DS1
- DS3
- OCn

Performance Standard

Percent FOCs Received within Standard	- DS0 = > 98.0% within 2 business days
	- DS1 = > 98.0% within 2 business days
	- DS3 = > 98.0% within 5 business days
	- OCn - ICB (Individual Case Basis)
FOC Receipt Distribution	- Diagnostic

ASRs Withdrawn at ILEC Request Due to a Lack of ILEC Facilities or Otherwise - Diagnostic

ILEC Performance Measurements and Standards

ORDERING

Measurement: JIP-SA-2 FOC Receipt Past Due

Description

The FOC Receipt Past Due measure tracks all ASR requests that have not received an FOC from the ILEC within the expected FOC receipt interval, as of the last day of the reporting period and do not have an open, or outstanding, Query/Reject. This measure gauges the magnitude of late FOCs and is essential to ensure that FOCs are being received in a timely manner from the ILECs. A distribution of these late FOCs, along with a report of those late FOCs that do have an open Query/Reject, is required for diagnostic purposes.

Calculation Methodology

Percent FOC Receipt Past Due - Without Open Query/Reject:

Sum of ASRs without a FOC Received, and a Query/Reject is not open, where (End of Reporting Period – ASR Sent Date >Expected FOC Receipt Interval) / Total number of ASRs sent during reporting period x 100

FOC Receipt Past Due - Without Open Query/Reject - Distribution:

[(End of Reporting Period – ASR Sent date) – (Expected FOC Receipt Interval)] for ASRs without a FOC received and a Query/Reject is not open with the CLEC or IXC Carrier, distributed by;
1-5 Days, 6-10 Days, 11-20 Days, 21- 30 Days, 31-40 Days, and > 40 Days

Percent FOC Receipt Past Due - With Open Query/Reject:

Sum of ASRs without a FOC Received, and a Query/Reject is open, where (End of Reporting Period – ASR Sent Date > Expected FOC Receipt Interval) / Total number of ASRs sent during reporting period x 100

Business Rules

1. All counts are based on the latest ASR request sent to the ILEC. Where one or more subsequent ASRs have been sent, only the latest ASR would be recorded as Past Due if no FOC had yet been returned.
2. The Expected FOC Receipt Interval, used in the calculations, will be the interval identified in the Performance Standards for the FOC Receipt measure.
3. Days shown are business days, Monday to Friday, excluding National Holidays. Activity starting on a weekend, or holiday, will reflect a start date of the next business day, and activity ending on a weekend, or holiday, will be calculated with an end date of the last previous business day.
4. Projects are included. Determination of what is identified as a project varies by ILEC and should not alter the need to ensure that service is provided within expected intervals.

Exclusions

- Unsolicited FOCs
- Disconnect ASRs
- Cancelled ASRs
- Record ASRs

Levels of Disaggregation

- DS0
- DS1
- DS3
- OCn

Performance Standard

Percent FOC Receipt Past Due - Without Open Query/Reject	< 2.0 % FOC Receipt Past Due
FOC Receipt Past Due – Without Open Query/Reject - Distribution	- Diagnostic
Percent FOC Receipt Past Due - With Open Query/Reject	- Diagnostic

ILEC Performance Measurements and Standards

ORDERING

Measurement: JIP-SA-3 Offered Versus Requested Due Date

Description

The Offered Versus Requested Due Date measure reflects the degree to which the ILEC is committing to install service on the CLEC or IXC Carrier Requested Due Date (CRDD), when a Due Date Request is equal to or greater than the ILEC stated interval. A distribution of the delta, the difference between the CRDD and the Offered Date, for these FOCs is required for diagnostic purposes.

Calculation Methodology

Percent Offered with CLEC or IXC Carrier Requested Due Date:
[Count of ASRs where (FOC Due Date = CRDD] / [Total number of ASRs where (CRDD – ASR Sent Date) = > ILEC Stated Interval] x 100

Offered versus Requested Interval Delta – Distribution:
[(Offered Due Date – CRDD) where (CRDD – ASR Sent Date) = > ILEC Stated Interval] for each FOC received during the reporting period, distributed by; 0 Days, 1-5 Days, 6-10 Days, 11-20 Days, 21- 30 Days, 31-40 Days, and > 40 Days

Business Rules

1. Counts are based on each instance of a FOC received from the ILEC. If one or more Supplement ASRs are issued to correct or change a request, each corresponding FOC, which is received during the reporting period, is counted and measured.
2. Days shown are business days, Monday to Friday, excluding National Holidays. Activity starting on a weekend, or holiday, will reflect a start date of the next business day, and activity ending on a weekend, or holiday, will be calculated with an end date of the last previous business day.
3. Projects are included. Determination of what is identified as a project varies by ILEC and should not alter the need to ensure that service is provided within expected intervals.

Exclusions

- Unsolicited FOCs
- Disconnect ASRs
- Cancelled ASRs
- Record ASRs

Levels of Disaggregation

- DS0
- DS1
- DS3
- OCn

Performance Standard

Percent Offered with CRDD (where CRDD = > ILEC Stated Interval) = 100%
Offered versus Requested Interval Delta – Distribution - Diagnostic

ILEC Stated Intervals: To be determined by ILEC

ILEC Performance Measurements and Standards

PROVISIONING

Measurement: JIP-SA-4 On Time Performance To FOC Due Date

Description

On Time Performance To FOC Due Date measures the percentage of circuits that are completed on the FOC Due Date, as recorded from the FOC received in response to the last ASR sent. Customer Not Ready (CNR) situations may result in an installation delay. The On Time Performance To FOC Due Date is calculated both with CNR consideration, i.e. measuring the percentage of time the service is installed on the FOC due date while counting CNR coded orders as an appointment met, and without CNR consideration.

Calculation Methodology

Percent On Time Performance to FOC Due Date – With CNR Consideration:

[(Count of Circuits Completed on or before ILEC Committed Due Date + Count of Circuits Completed after FOC Due Date with a verifiable CNR code) / (Count of Circuits Completed in Reporting Period)] x 100

Percent On Time Performance to FOC Due Date – Without CNR Consideration:

[(Count of Circuits Completed on or before ILEC Committed Due Date) / (Count of Circuits Completed in Reporting Period)] x 100

Note: The denominator for both calculations is the total count of circuits completed during the reporting period, including all circuits, with and without a CNR code.

Business Rules

1. Measures are based on the last ASR sent and the associated FOC Due Date received from the ILEC.
2. Selection is based on circuits completed by the ILEC during the reporting period. An ASR may provision more than one circuit and ILECs may break the ASR into separate internal orders, however, the ASR is not considered completed for measurement purposes until all circuits are completed.
3. The ILEC Completion Date is the date upon which the ILEC completes installation of the circuit, as noted on a completion advice to the CLEC or IXC Carrier.
4. Projects are included. Determination of what is identified as a project varies by ILEC and should not alter the need to ensure that service is provided on the FOC Due Date.
5. A Customer Not Ready (CNR) is defined as a verifiable situation beyond the normal control of the ILEC that prevents the ILEC from completing an order, including the following: CLEC or IXC Carrier is not ready; end user is not ready; connecting company, or CPE (Customer Premises Equipment) supplier, is not ready. The ILEC must ensure that established procedures are followed to notify the CLEC or IXC Carrier of a CNR situation and allow a reasonable period of time for the CLEC or IXC Carrier to correct the situation.

Exclusions

- Unsolicited FOCs
- Disconnect ASRs
- Cancelled ASRs
- Record ASRs

Levels of Disaggregation

- DS0
- DS1
- DS3
- OCn

Performance Standard

Percent On Time to FOC Due Date - With CNR Consideration => 98.0 % On Time

Percent On Time to FOC Due Date - Without CNR Consideration - Diagnostic

ILEC Performance Measurements and Standards
PROVISIONING

Measurement: JIP-SA-5 Days Late

Description

Days Late captures the magnitude of the delay, both in average and distribution, for those circuits not completed on the FOC Due Date, and the delay was not a result of a verifiable CNR situation. A breakdown of delay days caused by a lack of ILEC facilities is required for diagnostic purposes.

Calculation Methodology

Average Days Late:

Σ[Circuit Completion Date – ILEC Committed Due Date (for all Circuits Completed Beyond ILEC Committed Due Date without a CNR code)] / (Count of Circuits Completed Beyond ILEC Committed Due Date without a CNR code)

Days Late Distribution:

Circuit Completion Date – ILEC Committed Due Date (for all Circuits Completed Beyond ILEC Committed Due Date without a CNR code) distributed by: 1 day, 2-5 Days, 6-10 Days, 11-20 Days, 21- 30 Days, 31-40 Days, and > 40 Days

Average Days Late Due to a Lack of ILEC Facilities:

Σ[Circuit Completion Date – ILEC Committed Due Date (for all Circuits Completed Beyond ILEC Committed Due Date without a CNR code and due to a Lack of ILEC Facilities] / (Count of Circuits Completed Beyond ILEC Committed Due Date without a CNR code and due to a Lack of ILEC Facilities)

Business Rules

1. Measures are based on the last ASR sent and the associated FOC Due Date received from the ILEC.
2. Selection is based on circuits completed by the ILEC during the reporting period. An ASR may provision more than one circuit and ILECs may break the ASR into separate internal orders, however, the ASR is not considered completed for measurement purposes until all circuits are completed.
3. Days shown are business days, Monday to Friday, excluding National Holidays. Activity starting on a weekend, or holiday, will reflect a start date of the next business day, and activity ending on a weekend, or holiday, will be calculated with an end date of the last previous business day.
4. Projects are included. Determination of what is identified as a project varies by ILEC and should not alter the need to ensure that service is provided on the FOC Due Date.
5. A Customer Not Ready (CNR) is defined as a verifiable situation beyond the normal control of the ILEC that prevents the ILEC from completing an order, including the following: CLEC or IXC Carrier is not ready; end user is not ready; connecting company, or CPE (Customer Premises Equipment) supplier, is not ready. The ILEC must ensure that established procedures are followed to notify the CLEC or IXC Carrier of a CNR situation and allow a reasonable period of time for the CLEC or IXC Carrier to correct the situation

Exclusions

- Unsolicited FOCs
- Disconnect ASRs
- Cancelled ASRs
- Record ASRs

Levels of Disaggregation

- DS0
- DS1
- DS3
- OCn

Performance Standard

Average Days Late	< 3.0 Days
Days Late Distribution	- Diagnostic
Average Days Late Due to a Lack of ILEC Facilities	- Diagnostic

ILEC Performance Measurements and Standards

PROVISIONING

Measurement: JIP-SA-6 Average Intervals - Requested/Offered/Installation

Description

The intent of this measure is to capture three important aspects of the provisioning process and display them in relation to each other. The Average CLEC or IXC Carrier Requested Interval, the Average ILEC Offered Interval, and the Average Installation Interval, provide a comprehensive view of provisioning, with the ultimate goal of having these three intervals equivalent.

Calculation Methodology

Average CLEC or IXC Carrier Requested Interval:
Sum (CRDD – ASR Sent Date) / Total Circuits Completed during reporting period

Average ILEC Offered Interval:
Sum (FOC Due Date – ASR Sent Date) / Total Circuits Completed during reporting period

Average Installation Interval:
Sum (ILEC Completion Date – ASR Sent Date) / Total Circuits Completed during reporting period

Business Rules

1. Measures are based on the last ASR sent and the associated FOC Due Date received from the ILEC.
2. Selection is based on circuits completed by the ILEC during the reporting period. An ASR may provision more than one circuit and ILECs may break the ASR into separate internal orders, however, the ASR is not considered completed for measurement purposes until all circuits are completed.
3. Days shown are business days, Monday to Friday, excluding National Holidays. Activity starting on a weekend, or holiday, will reflect a start date of the next business day, and activity ending on a weekend, or holiday, will be calculated with an end date of the last previous business day.
4. Projects are included. Determination of what is identified as a project varies by ILEC and should not alter the need to ensure that service is provided within expected intervals.
5. The Average Installation Interval includes all completions.

Exclusions

- Unsolicited FOCs
- Disconnect ASRs
- Cancelled ASRs
- Record ASRs

Levels of Disaggregation

- DS0
- DS1
- DS3
- OCn

Performance Standard

Average Requested Interval	- Diagnostic
Average Offered Interval	- Diagnostic
Average Installation Interval	- Diagnostic

ILEC Performance Measurements and Standards

PROVISIONING

Measurement: JIP-SA-7 Past Due Circuits

Description

The Past Due Circuits measure provides a snapshot view of circuits not completed as of the end of the reporting period. The count is taken from those circuits that have received an FOC Due Date but the date has passed. Results are separated into those held for ILEC reasons and those held for CLEC or IXC Carrier reasons (CNRs), with a breakdown, for diagnostic purposes, of Past Due Circuits due to a lack of ILEC facilities. A diagnostic measure, Percent Cancellations After FOC Due Date, is included to show a percent of all cancellations processed during the reporting period where the cancellation took place after the FOC Due Date had passed

Calculation Methodology

Percent Past Due Circuits:

[(Count of all circuits not completed at the end of the reporting period > 5 days beyond the FOC Due Date, grouped separately for Total ILEC Reasons, Lack of ILEC Facility Reasons, and Total CLEC/Carrier Reasons) / (Total uncompleted circuits past FOC Due Date, for all missed reasons, at the end of the reporting period)] x 100

Past Due Circuits Distribution:

Count of all circuits past the FOC Due Date that have not been reported as completed (Calculated as last day of reporting period - FOC Due Date) Distributed by: 1-5 days, 6-10 days, 11-20 days, 21-30 days, 31-40 Days, > 40 days

Percent Cancellations After FOC Due Date:

[Count (All circuits cancelled during reporting period, that were Past Due at the end of the previous reporting period, where (Date Cancelled > FOC Due Date) / (Total circuits Past Due at the end of the previous reporting period)] x 100

Business Rules

1. Calculation of Past Due Circuits is based on the most recent ASR and associated FOC Due Date.
2. An ASR may provision more than one circuit and ILECs may break the ASR into separate internal orders, however, the ASR is not considered completed for measurement purposes until all segments are completed.
3. Days shown are business days, Monday to Friday, excluding National Holidays. Activity starting on a weekend, or holiday, will reflect a start date of the next business day, and activity ending on a weekend, or holiday, will be calculated with an end date of the last previous business day.
4. Projects are included. Determination of what is or is not identified as a project varies by ILEC and should not alter the need to ensure that service is provided on the FOC Due Date.
5. A Customer Not Ready (CNR) is defined as a verifiable situation beyond the normal control of the ILEC that prevents the ILEC from completing an order, including the following: CLEC or IXC Carrier is not ready; end user is not ready; connecting company, or CPE (Customer Premises Equipment) supplier, is not ready. The ILEC must ensure that established procedures are followed to notify the CLEC or IXC Carrier of a CNR situation and allow a reasonable period of time for the CLEC or IXC Carrier to correct the situation

Exclusions

- Unsolicited FOCs
- Disconnect ASRs
- Record ASRs

Levels of Disaggregation

- DSO / DS1 / DS3 / OCn

Performance Standard

Percent Past Due Circuits - Total ILEC Reasons	< 3.0 % > 5 days beyond FOC Due Date
Percent Past Due Circuits - Due to Lack of ILEC Facilities	- Diagnostic
Percent Past Due Circuits - Total CLEC Reasons	- Diagnostic
Past Due Circuits Distribution	- Diagnostic
Percent Cancellation After FOC Due Date	- Diagnostic

ILEC Performance Measurements and Standards

PROVISIONING

Measurement: JIP-SA-8 New Installation Trouble Report Rate

Description

New Installation Trouble Report Rate measures the quality of the installation work by capturing the rate of trouble reports on new circuits within 30 calendar days of the installation.

Calculation Methodology

Trouble Report Rate Within 30 Calendar Days of Installation:
[Count (trouble reports within 30 Calendar Days of Installation) / (Total Number of Circuits Installed in the Report Period)] x 100

Business Rules

1. The ILEC Completion Date is the date upon which the ILEC completes installation of the circuit, as noted on a completion advice to the CLEC or IXC Carrier.
2. The calculation for the preceding 30 calendar days is based on the creation date of the trouble ticket.

Exclusions

- Trouble tickets that are canceled at the CLEC's or IXC Carrier's request
- CLEC, IXC Carrier, CPE (Customer Premises Equipment), or other customer caused troubles
- ILEC trouble reports associated with administrative service
- Tickets used to track referrals of misdirected calls
- CLEC or IXC Carrier requests for informational tickets

Levels of Disaggregation

- DS0
- DS1
- DS3
- OCn

Performance Standard

New Installation Trouble Report Rate <= 1.0 trouble reports per 100 circuits installed

ILEC Performance Measurements and Standards

MAINTENANCE & REPAIR

Measurement: JIP-SA-9 Failure Rate

Description

Failure Rate measures the overall quality of the circuits being provided by the ILEC and is calculated by dividing the number of troubles resolved during the reporting period by the total number of "in service" circuits, at the end of the reporting period, and is then annualized by multiplying by 12 months.

Calculation Methodology

Failure Rate – Annualized:

{[(Count of Trouble Reports resolved during the Reporting Period) / (Number of Circuits In Service at the end of the Report Period)] x 100} x 12

Business Rules

1. A trouble report/ticket is any record (whether paper or electronic) used by the ILEC for the purposes of tracking related action and disposition of a service repair or maintenance situation.
2. A trouble is resolved when the ILEC issues notice to the CLEC or IXC Carrier that the circuit has been restored to normal operating parameters.
3. Where more than one trouble is resolved on a specific circuit during the reporting period, each trouble is counted in the Trouble Report Rate.

Exclusions:

- Trouble tickets that are canceled at the CLEC's or IXC Carrier's request
- CLEC, IXC Carrier, CPE (Customer Premises Equipment), or other customer caused troubles
- ILEC trouble reports associated with administrative service
- CLEC or IXC Carrier requests for informational tickets
- Tickets used to track referrals of misdirected calls

Levels of Disaggregation

- Below DS3 (DS0 + DS1)
- DS3 and Above (DS3 + OCn)

Performance Standard

Failure Rate Annualized	- Below DS3	< = 10.0%
	- DS3 and Above	< = 10.0%

ILEC Performance Measurements and Standards

MAINTENANCE & REPAIR

Measurement: JIP-SA-10 Mean Time to Restore

Description

The Mean Time To Restore interval measures the promptness in restoring circuits to normal operating levels when a problem or trouble is referred to the ILEC. Calculation is the elapsed time from the CLEC or IXC Carrier submission of a trouble report to the ILEC to the time the ILEC closes the trouble, less any Customer Hold Time or Delayed Maintenance Time due to valid customer, CLEC, or IXC Carrier caused delays. A breakdown of the percent of troubles outstanding greater than 24 hours, and the Mean Time to Restore of those troubles recorded as Found OK / Test OK, is required for diagnostic purposes.

Calculation Methodology

Mean Time To Restore:

Σ [(Date and Time of Trouble Ticket Resolution Closed to the CLEC or IXC Carrier – Date and Time of Trouble Ticket Referred to the ILEC) – (Customer Hold Times)] / (Count of Trouble Tickets Resolved in Reporting Period)]

% Out of Service Greater than 24 hrs:

[Count of Troubles where (Date and Time of Trouble Ticket Resolution Closed to the CLEC or IXC Carrier – Date and Time of Trouble Ticket Referred to the ILEC) – (Customer Hold Times) is > 24 hrs / (Count of Trouble Tickets Resolved in Reporting Period)] x 100

Mean Time To Restore – Found OK / Test OK:

Σ [(Date and Time of Trouble Ticket Resolution Closed to the CLEC or IXC Carrier as Found OK/Test OK – Date and Time of Trouble Ticket Referred to the ILEC) – (Customer Hold Times)] / (Count of Trouble Tickets Resolved in Reporting Period as Found OK/Test OK)]

Business Rules

1. A trouble report or trouble ticket is any record (whether paper or electronic) used by the ILEC for the purposes of tracking related action and disposition of a service repair or maintenance situation.
2. Elapsed time is measured on a 24-hour, seven-day per-week basis, without consideration of weekends or holidays.
3. Multiple reports in a given period are included, unless the multiple reports for the same customer is categorized as "subsequent" (an additional report on an already open ticket).
4. "Restore" means to return to the normally expected operating parameters for the service regardless of whether or not the service, at the time of trouble ticket creation, was operating in a degraded mode or was completely unusable. A trouble is "resolved" when the ILEC issues notice to the CLEC or IXC Carrier that the customer's service is restored to normal operating parameters.
6. Customer Hold Time or Delayed Maintenance Time resulting from verifiable situations of no access to the end user's premises, or other CLEC or IXC Carrier caused delays, such as holding the ticket open for monitoring, is deducted from the total resolution interval.

Exclusions:

- Trouble tickets that are canceled at the CLEC's or IXC Carrier's request
- CLEC, IXC Carrier, CPE (Customer Premises Equipment), or other customer caused troubles
- ILEC trouble reports associated with administrative service
- CLEC or IXC Carrier requests for informational tickets
- Trouble tickets created for tracking and/or monitoring circuits
- Tickets used to track referrals of misdirected calls

Levels of Disaggregation

- Below DS3 (DS0 + DS1)
- DS3 and Above (DS3 + OCn)

Performance Standard

Mean Time to Restore	- Below DS3	< = 2.0 Hours
	- DS3 and Above	< = 1.0 Hour
% Out of Service > 24 Hrs		- Diagnostic
Mean Time to Restore – Found OK / Test OK		- Diagnostic

ILEC Performance Measurements and Standards
MAINTENANCE & REPAIR

Measurement: JIP-SA-11 Repeat Trouble Report Rate

Description

The Repeat Trouble Report Rate measures the percent of maintenance troubles resolved during the current reporting period that had at least one prior trouble ticket any time in the preceding 30 calendar days from the creation date of the current trouble report.

Calculation Methodology

Repeat Trouble Report Rate:
[(Count of Current Trouble Reports with a previous trouble, reported on the same circuit, in the preceding 30 calendar days)] / (Number of Reports in the Report Period) x 100

Business Rules

1. A trouble report or trouble ticket is any record (whether paper or electronic) used by the ILEC for the purposes of tracking related action and disposition of a service repair or maintenance situation.
2. A trouble is resolved when the ILEC issues notice to the CLEC or IXC Carrier that the circuit has been restored to normal operating parameters.
3. If a trouble ticket was closed out previously with the disposition code classifying it as FOK/TOK/CPE/IXC, then the second trouble must be counted as a repeat trouble report if it is resolved to ILEC reasons.
4. The trouble resolution need not be identical between the repeated reports for the incident to be counted as a repeated trouble.

Exclusions:

- Trouble tickets that are canceled at the CLEC's or IXC Carrier's request
- CLEC, IXC Carrier, CPE (Customer Premises Equipment), or other customer caused troubles
- ILEC trouble reports associated with administrative service
- Subsequent trouble reports – defined as those cases where a customer called to check on the status of an existing open trouble ticket

Levels of Disaggregation

- Below DS3 (DS0 + DS1)
- DS3 and Above (DS3 + OCn)

Performance Standards

Repeat Trouble Report Rate	- Below DS3	<= 6.0%
	- DS3 and Above	<= 3.0%

GLOSSARY

Term	Definition
Access Service Request (ASR)	A request to an ILEC to order new service, or request a change to existing service, which provides access to the local exchange company's network, under terms specified in the local exchange company's special or switched access tariffs
Business Days	Monday thru Friday excluding holidays
Customer Not Ready (CNR)	A verifiable situation beyond the normal control of the ILEC that prevents the ILEC from completing an order, including the following: CLEC or IXC Carrier is not ready; end user is not ready; connecting company, or CPE (Customer Premises Equipment) supplier, is not ready
Facility Check	A pre-provisioning check performed by the ILEC, in response to an access service request, to determine the availability of facilities and assign the installation date
Firm Order Confirmation (FOC)	The notice returned from the ILEC, in response to an Access Service Request from a CLEC or IXC Carrier that confirms receipt of the request, that a facility has been made, and that a service request has been created with an assigned due date
Unsolicited FOC	An Unsolicited FOC is a supplemental FOC issued by the ILEC to change the due date or for other reasons, although no change to the ASR was requested by the CLEC or IXC Carrier
Project	Service requests that exceed the line size and/or level of complexity that would allow the use of standard ordering and provisioning processes
Query/Reject	An ILEC response to an ASR requesting clarification or correction to one or more fields on the ASR before an FOC can be issued
Repeat Trouble	Trouble that reoccurs on the same telephone number/circuit ID within 30 calendar days
Supplement ASR	A revised ASR that is sent to change due dates or alter the original ASR request. A "Version" indicator related to the original ASR number tracks each Supplement ASR.

ATTACHMENT A

Joint Competitive Industry Group Proposal

Essential Elements of a Special Access Provisioning Enforcement Plan

General

1. Remedies should include both payments to special access customers of the incumbent local exchange carriers (LECs) and forfeitures paid to the United States Treasury

2. Penalties must be of a magnitude sufficient to deter anti-competitive behavior

3. Penalties should increase with the magnitude of the performance failure

4. Penalties should increase for repeated performance failure

5. The Commission should state that any remedies specific to special access provisioning are in addition to the normal complaint process and any private remedies that customers may have

Payments to Customers of Incumbent LECs

6. Customers of incumbent LECs should be able to exercise any or all of the following options with respect to payments to customers

    a. Self-executing payments to customers, consistent with the Commission's authority

    b. Seek damages by filing a complaint at the FCC or in district court. The Commission should establish a streamlined process for complaints alleging that an incumbent LEC has failed to comply with the special access performance standards or parity requirements.

Forfeitures

7. The Commission should establish a standard methodology for calculating proposed forfeitures. Forfeiture amounts should be sufficiently high to serve as a deterrent to anti-competitive behavior, rather than simply a cost of doing business

8. The Commission should establish a streamlined process for imposing forfeitures

Non-monetary penalties

9. For significant abuses of the performance requirements, the Commission should establish non-monetary penalties, such as suspension of Section 271 or pricing flexibility authority, and injunctive relief requiring the incumbent LEC to improve its performance

Audits

10. Each incumbent LEC should be required to undergo an annual independent audit of its performance reporting, the auditor to be chosen by the FCC, but paid by the incumbent LEC

11. Competitive carriers, at their option, should have the right to audit the incumbent LECs' performance reports. The requesting carrier would pay for the audit, unless the audit reveals inaccuracies in the incumbent LEC's report, in which case the incumbent LEC would pay for the audit

Special Task Force

12. The Commission should establish a special enforcement team to focus on special access performance, similar to the BA-NY anti-backsliding team

ATTACHMENT A

Joint Competitive Industry Group Proposal

Payments to Customers of Incumbent LECs And Forfeitures

Payments to Customers of Incumbent LECs

- Payments would take the form of service credits, damages, or both.

Service Credits

- Service credits are designed to ensure that customers do not pay full price for substandard service.

- Section 205 gives the Commission broad authority to compel incumbent LECs to incorporate automatic service credits for poor or discriminatory performance into their interstate special access tariffs and their carrier-to-carrier special access contracts.

- To avoid the prolonged process of suspending and investigating each incumbent LEC tariff after it is filed, the Commission should establish the specific terms that incumbent LECs must include in their tariffs and contracts.

- The tariff and contract terms prescribed by the Commission would correspond to the measures, standards, disaggregation levels, and exclusions set forth in the JCIG Proposal.

- At a minimum, for each measure in the JCIG Proposal, the tariff or contract term should take into consideration:

    - (for measures with a parity standard) how the credit will be calculated, with the level of credit escalating based upon the relationship between the incumbent LEC's performance for the customer versus the incumbent LEC's performance to itself, its affiliates, or its retail customers (*e.g.*, a credit equal to X for performance that is Y worse than parity with the incumbent LEC's retail performance, with X increasing as Y increases); or

    - (for measures with a benchmark standard) how the credit will be calculated, with the level of credit escalating based upon the degree of deviation between the incumbent LEC's performance and the established benchmark (*e.g.*, a credit equal to X for performance that is Y worse than the benchmark, with X increasing as Y increases)

- Depending on the metric, the credit would be applied against the recurring or non-recurring charge, as appropriate, for the particular reporting period.

- The credit would be applied separately to each disaggregated service level (*e.g.*, DS0, DS1, etc.) for each measure as reported by the incumbent LEC.

- No matter how many separate standards were violated, the cumulative credit applicable to any given facility or service would be no more than 100% of the tariffed or contract charge for that facility or service.

Expedited Complaint Process

- The expedited complaint process is intended to compensate customers for damages incurred, without involving extensive litigation costs.

- Performance standards or parity benchmarks that an incumbent LEC misses for services provided to an individual customer would be flagged in customer-specific reports.

Liability Phase

- In the liability phase, a customer would file a form complaint with the FCC specifying the incumbent LEC at issue; the month during which the violation occurred; the performance standard or parity benchmark that was missed; and the number of circuits involved.

  - The customer would serve the complaint simultaneously on the incumbent LEC and the Commission.

  - The incumbent LEC would have 10 days to answer.

  - The customer would have 7 days to respond to the incumbent LEC's answer.

  - Identification of a missed performance standard or benchmark would establish a rebuttable presumption that a violation of the Act and/or the Commission's rules has occurred. This rebuttable presumption would shift the burden of production to the incumbent LEC to demonstrate that it has not violated the statute or the Commission's rules.

    - The incumbent LEC would bear the heavy burden of submitting evidence sufficient to overcome the rebuttable presumption and avoid a finding of liability.

    - Absent a *force majeure* event shown to have *caused* the incumbent LEC to miss the benchmark standard or parity standard, the Commission would find that the incumbent LEC has violated the Commission's rules and the statute.

  - The Commission would issue an order resolving the liability issue within 30 days of the incumbent LEC's answer.

Damages Phase

- Once the incumbent LEC's liability has been established, the customer would file a statement of damages, based either on its own calculations or as defined by a proxy schedule developed by the Commission.

- The incumbent LEC would have a brief opportunity to comment on the statement of damages.

- The Commission would award damages promptly.
    - If appropriate, the amount of the damages the incumbent LEC is required to pay would be reduced by the amount of service credits the customer previously received.

Forfeitures

- The forfeiture process is intended to penalize incumbent LECs and to enhance their incentives to provision special access in a reasonable and nondiscriminatory manner.

Streamlined Forfeiture Process

- Incumbent LECs would provide aggregate and customer-specific monthly performance reports.
    - Aggregate reports would indicate whether any benchmark standards or parity standards have been missed for any class of customer (*e.g.*, provisioning for unaffiliated IXCs is slower than for affiliated IXCs).
- If one or more metrics have been missed, the Commission, within 7 days of report, would automatically issue a notice of apparent liability ("NAL") and an order to show cause.
    - The NAL would identify each missed standard and each instance of discriminatory treatment both by class of customers and by circuit type.
    - The NAL also would propose a specific penalty for each missed standard.
    - The order to show cause would direct the incumbent LEC to demonstrate why: (a) the Commission should not find that the incumbent LEC has violated the Commission's rules and the statute; and (b) the incumbent LEC should not be required to come into compliance with the Commission's performance requirements within 30 days.
- The incumbent LEC would have 15 days to respond to the NAL, and customers would have 7 days to comment on the incumbent LEC's response.
- The incumbent LEC would bear the burden of demonstrating by clear and convincing evidence that its poor or unreasonably discriminatory performance was justified.
    - Absent a *force majeure* event shown to have *caused* the incumbent LEC to miss the benchmark standard or parity standard, the Commission would find that the incumbent LEC has violated the Commission's rules and the statute.
- Within 30 days of the incumbent LEC's response to the NAL, if the incumbent LEC has not been able to overcome the presumption of liability with clear and convincing evidence of justification, the Commission would issue an order finding that the incumbent LEC has violated the Commission's rules and the Communications Act, and that it must pay the prescribed forfeiture to the U.S. Treasury.

ATTACHMENT A

Joint Competitive Industry Group
Origin of Metrics

ORDERING

The Ordering measures cover the important first step in the special access provisioning process. This includes the ILEC's response to an Access Service Request (ASR) issued by the competitor, where the ILEC provides the due date on which they expect to provision the service–the Firm Order Confirmation (FOC) date.

General Business Rules or Exclusions:

Projects are included in these measures as the ILECs should be able to provide FOC Due Dates for projects in a timely manner. ILECs also have varying rules and levels for determining what constitutes a "project." To exclude projects could mean that a significant volume of ASRs would not be measured at all.

"Unsolicited FOCs," that is, changes to the FOC Due Date that are initiated by the ILEC without a request from the competitor, as well as "cancelled ASRs", and "record ASRs" are also excluded from these measures.

FOCs for "disconnect ASRs" are also excluded because these service requests are usually easily addressed by the ILECs in the normal course of business and are not customer-affecting. Including disconnect ASRs in the ordering metrics would skew the results.

JIP-SA-1 FOC RECEIPT

Problem: ILECs have taken excessive amounts of time to respond to clean ASRs, with average response at times as high as 10 or more business days. And, in some instances, ILECs do not perform a facilities check prior to issuing the FOC.

Business impact: FOCs provide the due date on which the requested circuit(s) will be installed. Therefore, competitors cannot inform customers when their service will be installed until they receive a FOC from the ILEC. Late or delayed FOCs prevent carriers and customers from planning the installation process and frustrate customers--especially when they are requesting service within a reasonable period of time. The competitors' retail customers (particularly large business or institutional users) must coordinate personnel, resources and third-party vendors to make certain that the installation occurs

efficiently on the due date, and cannot do so until the date is confirmed. Business customers have also reported that they have received faster notification when ordering directly from the ILECs.

Proposed measurement as a solution: This measurement will ensure that FOC Due Dates are being provided in a timely manner, and if not, identify that there is a problem that needs to be addressed. The performance standard requires the submission of FOCs for DS0 or DS1 circuits within 2 business days and DS3 circuits within 5 business days of the submission of a "clean" ASR at least 98% of the time--thus requiring the ILEC to act promptly to provide installation dates that can be passed on to the end-user customer. Because it is anticipated that the ILEC will, at minimum, conduct an electronic facilities check, the due date it provides should be a reliable one, unless facility problems are encountered on the plant test date (PTD). The performance standard provides the ILECs sufficient time to ensure that the FOC accurately reflects the results of ILEC's facilities check. Moreover, each FOC received from the ILEC is accounted for in the metric, including those that are issued as a result of supplemental ASRs.

The diagnostic "FOC Receipt Distribution" is meant to show the number of days (*i.e.*, 0 days, 1 day, 2 days, through 10 days, and greater than 10 days) that have elapsed from the date the clean ASR is sent to the ILEC until the date the FOC is received in order to show the overall pattern and identify any developing problems.

A separate diagnostic records ASRs withdrawn at the ILEC's request because of lack of facilities or other reasons. This highlights those situations where the ILEC requests that an ASR be withdrawn, as these ASRs would then not be captured in any measure.

Reason not burdensome: Most BOCs already voluntarily provide reporting on FOC receipt to some competitors, often within intervals comparable to, or shorter than, the JCIG's proposed standard. Moreover, ILEC systems already capture this information for the ILECs' own use, at least for retail services. The JCIG proposal merely standardizes this process for the industry.

JIP-SA-2 FOC RECEIPT PAST DUE

Problem to be addressed: The JIP-SA-1 FOC Receipt measure tallies the FOCs that are returned, while this measure--FOC Receipt Past Due--tracks "clean" ASRs that have been sent to the ILEC but have not received a response or FOC, as of the end of the reporting period. The result is expressed as a percentage of the total number of ASRs sent during the reporting period. Experience has shown that issues with ILEC work-load, staff reductions, or other problems, can mean that ASRs simply are not replied to and without this measure these problems will go undetected, causing an obvious impact on the competing carrier's customers and the competing carrier's reputation.

Business impact: Competitors and business users must have a means of determining when ASRs are not being responded to before the problem becomes chronic or reaches

unacceptably high levels. The inability to access FOCs in a timely manner affects competitors' ability to meet end-user expectations. Past due FOCs often result in individual case escalations which are burdensome and resource-draining for both competitors and ILECs.

Proposed measurement as a solution: This measure will ensure that any outstanding FOCs are kept at manageable levels, and will, at a minimum, help identify instances when backlogs are developing or increasing, so that action can be taken to resolve problems well before they become a major concern for both competitors and business end users.

The expectation is that less than 2% of FOCs, without an open query/reject, should be past due and that the ILECs would report whether those FOCs are 1-5 days late, 6-10 days late, etc. The business rules have been designed to ensure that situations beyond the ILEC's control, such as ASRs that have been rejected, or queried, or where clarification has been requested, are not counted. A separate diagnostic measure of those "with open Query/Reject" is included to ensure that the number of these open FOCs are visible to both the ILEC and the ordering CLEC.

Reason not burdensome: These requirements should not be burdensome, as the actual query or reject may be electronic and, even if it is manual, the ILEC's system will normally have a status indicator with a flag showing that the ASR is waiting on a response from the competitor.

JIP-SA-3 OFFERED VERSUS REQUESTED DUE DATE

Problem to be addressed: Competitors submit ASRs requesting a specific date for installation of special access facilities, however, even when the requested due date is equal to or greater than the ILEC stated standard interval, the ILECs often ignore the requested due date and simply respond with a generic or system-generated date, putting the competitor in the position of appearing confused or disorganized to its customer.

Business impact: In order to compete effectively with the ILECs, competitors must be in a position to negotiate due dates up front with customers with a high degree of confidence that the dates negotiated will indeed be agreed to by the ILECs provisioning the service. However, due to existing ILEC systems, it often is impossible to order facilities more than 30 days prior to the requested due date. Therefore, competitors have a very short window in which to provide end-user customers with a specific date and time for their installation and to align customer needs with the availability of facilities.

Proposed measurement as a solution: This measure tracks only those ASRs where the requested due date is equal to or greater than the ILEC's standard interval. The measurement assumes that the ILEC will check its existing workforce and load balance on the requested date and offer to install facilities in accordance with the JCIG proposed 7-day installation interval for DS0s and DS1s and the 14-day installation interval for DS3s.

Under this metric, therefore, the date offered by the ILECs for the installation interval should be the same as the customer requested due date for installation 100% of the time.

The measure includes a diagnostic that shows how many days the ILEC's offered due date exceeds the customer requested due date.

Reason not burdensome: This measure simply compares two dates, the Requested Due Date and the Offered Date (FOC Due Date). Both dates should be readily available in the ILEC's provisioning system.

PROVISIONING

Provisioning measurements cover the ILEC's performance with respect to meeting the FOC Due Date. These measures provide a complete picture of the provisioning activity, and show whether service is being provided in a timely and quality manner. The five (5) provisioning measures demonstrate:

- whether the service is completed on time;
- when the service is completed late, how late;
- how long on average it takes the ILEC to install the service;
- whether there are uncompleted circuits that are past due; and
- how many circuits experience trouble within the first 30 days of installation.

General Business Rules or Exclusions:

"Projects" are included in these measures because the ILECs should be held responsible to meet the FOC Due Dates that they have provided (typically as a result of negotiations) for projects. ILECs also have varying rules and levels for determining what constitutes a project. To exclude projects could mean that a significant volume of circuits or ASRs would not be measured at all.

"Unsolicited FOCs," that is, changes to the FOC Due Date that are initiated by the ILEC without a request from the competitor, "cancelled ASRs," and "record ASRs" (*i.e.*, ASRs that are sent only to correct administrative information and require no physical work) are excluded from these measures.

FOCs for "disconnect ASRs" are also excluded because a response to these service requests is not required by competitors, in the normal course of business. Including disconnect ASRs in the ordering metrics would skew the results.

JIP-SA-4 ON TIME PERFORMANCE TO FOC DUE DATE

Problems to be addressed: The FOC Due Date is used to coordinate ILEC staff, competitor staff, end-user customer staff, and when required, third-party suppliers such as

equipment vendors. Therefore, it is essential that the ILEC meet this date. ILEC performance in this area is very inconsistent, however, and the due date is often missed.

ILECs can and do take advantage of Customer Not Ready (CNR) situations by counting CNRs as though the ILEC has met the proposed installation date when, in reality, the ILEC technician may not have shown up for the appointment, or may have failed to follow instructions as to whom to meet and where. The net result is that the customer's service is not delivered when expected, causing customer frustration and dissatisfaction with the competitor.

Business Impact: A missed installation means that service will not be available for a particular end-user customer. If the ILEC does not provision the service on the FOC Due Date, the end-user customer may suffer from an inability to meet its operation's needs, and blame the competitor. The competitor is left to make new arrangements with each of the parties involved with installing the service, causing greater costs for all, as well as generating customer dissatisfaction. Moreover, the end result may be (and has been) that the customer may decide to cancel service with the requesting competitor and go to another carrier--CLEC or ILEC.

Competitors are often required to provide their business and institutional customers with Service Level Agreements (SLAs) requiring payment of significant penalties to the end-user customer if service is not installed by the promised due date. Likely because the ILECs are dominant in the special services market, business customers report that ILECs rarely, if ever, provide such guarantees with associated penalties.

ILECs have used CNRs as way to absolve themselves of any responsibility for a missed installation--even when the ILEC's technician caused the delay. This sends a signal to the business end-user customer that the blame for the failed installation does not belong with the ILEC.

Proposed Measurement as a Solution: This metric measures the percentage of circuits that are completed on or before the due date. Under the proposed standards, the ILEC is held accountable for meeting its offered due date more than 98% of the time. Because the due date has been previously confirmed by the ILEC, the date should be met nearly 100% of the time.

The business rules for the metric are defined so that the ILECs are held responsible for completing all circuit installations on an ASR before being credited for meeting the installation due date. This prevents the ILEC from claiming that it met an installation due date by meeting the deadline for one circuit on an ASR that includes multiple circuits. The business rules also permit the ILEC to take credit for meeting the due date in a CNR situation only when that CNR is verified (*i.e.*, confirmed by the competitor) as being beyond the incumbent's control.

The measure includes a diagnostic OTP "Without" consideration of CNRs because it is critical that competitors and business users are able to ascertain the ILEC's performance

for circuits that were actually installed on time. Including circuits that have not been installed for CNR reasons would skew the results for this diagnostic.

Reason not burdensome: ILECs already know and provide information regarding the FOC Due Date and the installation completion date. All ILECs use some type of CNR code in their order tracking system and some ILECs already provide data on CNR designations to competitors. Therefore, it should be easy to manipulate this information to provide reporting for on-time performance that either includes or excludes any instances where a CNR code is present.

JIP-SA-5 DAYS LATE:

Problems to be addressed: End-user customers expect that when a Due Date is missed, every effort will be made to recover promptly and to get the service installed as quickly as possible. While the ILEC may miss an installation due date, there is no guarantee that the facilities will be installed the next day or even the next week after such a miss. Competitors have no assurance that the ILEC will assign a past-due circuit the same priority as other circuits for which the FOC Due Date has not yet passed.

Business impact: Every day that an installation is late can mean lost revenue or business for the end-user customer; end-users' dissatisfaction with competitors increases significantly each additional day the circuit is late.

Proposed measurement as a solution: The Days Late measure captures the range of delays for those circuits that are not completed on the FOC Due Date and for which there is no verifiable CNR. The metric measures completed installations only and the proposed standard offers ILECs the flexibility to be, on average, up to 2.99 days late. The Days Late distribution diagnostic details the number of days that an installation is delayed. A second diagnostic, "Average Days Late Due to Lack of ILEC Facilities" provides data critical to root cause analysis to determine whether the ILEC is providing access to its facilities in a timely and nondiscriminatory manner. This diagnostic can also be compared to the related UNE measure to determine whether the ILEC is discriminating in its provision of UNEs as compared to special access.

Reason not burdensome: The data required to produce this measure, and these specific breakouts, do not include any special requirements. This information can be derived from data already maintained by the ILECs.

JIP-SA-6 AVERAGE INTERVALS – REQUESTED/OFFERED/INSTALLATION:

Problem to be addressed: Special access service delivery has deteriorated over time. Offered installation date intervals are getting longer and actual installation intervals have

increased. ILECs do not provide reports for this metric, making it almost impossible for competitors to determine the magnitude of the increased provisioning interval situation.

Business Impact: Every business needs to be aware of macro service levels. This measure captures the three important aspects of the provisioning interval triangle: On average, what is being requested, what is being offered, and how long it actually takes to install the service. This data is needed to identify excessive provisioning intervals and to help direct the parties' efforts where specific action is required.

Proposed measurement as a solution: The submission of ILEC reports that detail the average interval of customer requested due date, the ILEC average offered due date and the average time it took the ILEC to complete the installation, will enable early detection of any erosion in ILEC provisioning. Once these measures are established, the goal is to have the customer requested interval, the ILEC offered interval and the actual installation interval be the same.

Reason not burdensome: The data points required to produce this measure exist today in the ILEC ordering/provisioning system: (1) ASR Sent Date, (2) Requested Due Date, (3) FOC Due Date, and (4) ILEC Completion Date.

JIP-SA-7 PAST DUE CIRCUITS

Problem to be addressed: Competitors' experience demonstrates that past due circuits can escalate quickly into a major problem for both competitors and ILECs. ILECs currently do not measure and report delays for past due circuits. Therefore, the ILECs have no incentive to prioritize completion of missed circuits because they already have been penalized by having to credit the competitor's bill for missing the original due date. No data currently is captured to determine the frequency with which the ILEC fails to install circuits by their FOC Due Date or the interval between the FOC Due Date and the actual installation date. When a FOC Due Date has passed, and a circuit has yet to be installed, the magnitude of the delay is not currently captured; therefore, once a circuit installation is late, there is at present no incentive for the ILEC to expedite its completion.

Business impact: Quality customer service dictates that when a carrier misses an installation due date, the customer's installation will be immediately rescheduled. Moreover, competitors are often forced to pay SLA penalties to customers. The ILEC incurs no penalty and suffers no business consequences for poor performance. Instead, the affected competitor must try and save its relationship with the end-user customer. Further, while business customers might readily acknowledge that the delay is the result of ILEC poor performance, they are less inclined the next time they need facilities to work with a competitor who was unable to deliver the promised results.

Proposed Measurement as a Solution: The JIP-SA-4 On Time Performance to FOC Due Date and JIP-SA-5 Days Late measures are based on circuits that are actually completed. JIP-SA-7 provides a snapshot of circuits for which the FOC Due Date has

passed, but installation still has not been completed as of the end of the reporting period. It is critical that competitors have a means of monitoring uncompleted orders in order to assess the overall impact on their end-user customers.

The goal for the information derived from this metric is to provide ILECs with an incentive to install already late facilities as quickly as possible after the missed installation date, when the miss was the ILEC's fault. Today, the ILECs do not treat competitor-ordered circuits with a missed due date as a priority.

This metric looks at incomplete past due circuits where a FOC with a due date has been received. The metric also provides information regarding the source of the problem for the missed installation. As such, there is a diagnostic detailing the percentage of past due circuits that are a result of competitor reasons. Under the proposed standard for this metric, fewer than 3% of the total circuits should be more than 5 days past due for ILEC reasons.

The metric also includes a diagnostic for past due circuits identified with "no facilities" so that an analysis can be made and ILEC "no facilities" responses can be managed proactively by the competitor.

Reason not burdensome: Results are separated between FOC Due Dates held due to competitor reasons and FOC Due Dates held for ILEC reasons, with a separate breakdown of those held due to a lack of ILEC facilities. These are normal status codes that should be available in any large ILEC provisioning system.

JIP-SA-8 NEW INSTALLATION TROUBLE REPORT RATE:

Problems to be addressed: New installation troubles, while not infrequent, are particularly problematic for competitors. Once special access service is installed, business end-user customers (especially those already frustrated by a long wait for the installation in the first place) expect and need the service to function trouble-free. They certainly should not experience problems in the first 30 days of such service.

Business impact: Because installations can occur under harried circumstances (especially when a customer has been rescheduled as a result of a missed appointment), these early "troubles" are most often the result of poor quality or incomplete work done on the installation. The end-user customer naturally blames the party it has contracted with for the service--the competitor.

Proposed measurement as a solution: This measure assesses the quality and completeness of provisioning work performed by the ILEC by identifying the number of new circuits that fail within the first 30 days of service because of poor installation quality or incomplete installation work. Additionally, since there is no uniformity in the way in which ILECs handle new installation troubles (*e.g.*, some maintain new installations in the

provisioning center for a period of time, while others immediately refer such problems to their maintenance organization), reporting may highlight the tendency for competing carriers to get caught between ILEC departments.

Reason not burdensome: Trouble reporting on new circuit installations is a normal industry practice and should not impose any additional burden on the ILECs. The proposal seeks only to standardize industry practice.

MAINTENANCE & REPAIR:

Maintenance and Repair metrics measure the quality of the circuits provisioned by the ILEC as well as their performance in maintaining installed circuits.

General Business Rules or Exclusions:

Troubles caused by competitors, CPE (Customer Premises Equipment), or other customer caused troubles are excluded from these measures, as well as those troubles cancelled at the competitor's request.

"Found OK" and "Test OK" trouble codes are included in all M&R metrics.

Administrative and informational types of trouble tickets are also excluded.

JIP-SA-9 FAILURE RATE:

Problem to be addressed: Business end-user customers use special access circuits predominantly for voice and high-speed data traffic. Their expectation and requirement, therefore, is that the circuits will rarely fail.

Business impact: Circuit troubles or down time often mean interruption to the business end-user's day-to-day operations, ultimately resulting in lost revenue for the end-user customer. Because competitors depend on the reliability of ILEC facilities for special access services, the quality of the ILEC maintenance and repair service is critical. Further, when there is a problem with a circuit, business end-user customers blame the competitor and expect the competitor to pay penalties under the terms of SLAs, regardless of whether the trouble was actually in the ILEC facilities or otherwise caused by the ILEC.

Proposed measurement as a solution: The Failure Rate metric will enable competitors to monitor the quality of all the circuits installed by the ILEC. This measurement reports on the number of troubles received by the ILEC during one month as a percentage of the number of ILEC circuits in service. The reported result is annualized to provide a snapshot of failed ILEC circuits experienced by competitors on a yearly basis. Although a

Trouble Report rate of 2% in a month may not appear to be significant, when projected as an annualized rate a failure rate of 24% of installed circuits within a year's time it can jeopardize competitors' ability to win new business. An annualized rate also reveals both the potential impact failures have on the competitor's entire customer base (with a failure rate of 1 in 4 circuits provisioned, it is likely that a very large percentage of a competitor's end-user customers will experience a failure of some type every year), and the likelihood that end-user customers will experience repeated failures.

Reason why not burdensome: This metric is a standard industry measurement and ILECs routinely report this information today. The BOCs strive to deliver network availability for voice and data customers of 99.999%. At a 10% annual failure rate and a two-hour Mean Time to Repair Rate per ticket for a DS1, the JCIG proposal will enable a network availability of 99.998%.

JIP-SA-10 MEAN TIME TO RESTORE:

Problem to be addressed: After a circuit goes down, end-user customers expect their service provider to restore the failed circuit in the shortest amount of time. A response time that exceeds the end-user customer's expectations will be perceived as poor performance on the part of the competitor. This metric will establish consistent ILEC repair interval parameters that will allow competitors to manage their end-user customer's repair expectations.

Business impact: Business end-user customers depend on the reliability of the ILEC-provided circuit for transmitting voice and data traffic. Circuit outages are disruptive and have the potential to be costly for the end-user in terms of lost revenue. The mere perception that competitors provide poor or inadequate customer service negatively affects the competitor's ability to acquire and maintain business end-user customers.

Proposed measurement as a solution: ILEC promptness in restoring circuits to normal operating levels, when a problem or trouble is referred to them, is essential to maintaining good customer service and relations. The calculation for this metric is based on the elapsed time from the submission of a trouble report to the ILEC, to the time the ILEC reports the trouble has been resolved. The expectation is that a DS0 or DS1 will be restored in less than two hours on average and a DS3 circuit will be restored within one hour or less on average. A diagnostic component is included in this metric that captures the percentage of out of service troubles exceeding 24 hours. Out of service troubles lasting longer than 24 hours can have a catastrophic impact on the operations of business end-user customers. ILEC repair delays also damage the competitor's service delivery reputation. An additional diagnostic is included in this metric that captures the number of trouble reports that are coded by the ILECs as "Found OK/Test OK." This is particularly

important since the increase in the use of such codes is likely to lower overall MTTR and may reflect an attempt to mask actual performance.

Repair delays caused by the end user, equipment vendor, or the competitor, such as no access to the customer premises are subtracted from the total repair time.

Reason not burdensome: Mean Time to Restore is a standard industry measure and ILECs routinely report this information today.

JIP-SA-11 REPEAT TROUBLE REPORT RATE:

Problem to be addressed: A source of significant annoyance and dissatisfaction for special access end-user customers is the occurrence of multiple circuit troubles or failures within 30 days of a previously closed trouble report. End-user customers perceive such repeat troubles as evidence of poor workmanship, or poor facility quality on the part of the competitor.

Business impact: Multiple circuit troubles or outages within a short time period result in significant customer annoyance and dissatisfaction. As stated above, business end-user customers view the experience as evidence that competitors provide poor workmanship or poor quality facilities. Even if a business end-user customer acknowledges that the ILEC is the source of the problem, the end-user often believes the job would have been done better and faster by the ILEC if the end user had not switched to a competitor's service.

Proposed measurement as a solution: This metric measures the quality of the repair work performed by the ILEC. It identifies the number of repeat circuit trouble reports that may be caused by facility quality problems, or incomplete or poor quality repair work performed by the ILEC.

Reason not burdensome: Repeat trouble reporting is standard industry practice and should not present any undue burden. Including this metric will standardize the industry process.

ATTACHMENT A

JOINT COMPETITIVE INDUSTRY GROUP

PERFORMANCE MEASUREMENTS & STANDARDS

FOR ILEC SPECIAL ACCESS SERVICE

EXPLANATION OF JCIG PERFORMANCE STANDARDS

Submitted: September 26, 2002

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ILEC Performance Measurements and Standards

ORDERING

Measurement: JIP-SA-1 - FOC Receipt

Description

The Firm Order Confirmation (FOC) is the ILEC response to an Access Service Request (ASR), whether an initial or supplement ASR, which provides the CLEC or IXC Carrier with the specific Due Date on which the requested circuit or circuits will be installed. The expectation is that the ILEC will conduct a minimum of an electronic facilities check to ensure due dates delivered in FOCs can be relied upon. The performance standard for FOCs received within the standard interval is expressed as a percentage of the total FOCs received during the reporting period. A diagnostic distribution is required along with a count of ASRs withdrawn at the ILEC's request due to a lack of ILEC facilities or otherwise.

Levels of Disaggregation

- DS0
- DS1
- DS3
- OCn

Performance Standard

Percent FOCs Received within Standard	- DS0 => 98.0% within 2 business days
	- DS1 => 98.0% within 2 business days
	- DS3 => 98.0% within 5 business days
	- OCn - ICB (Individual Case Basis)
FOC Receipt Distribution	- Diagnostic
ASRs Withdrawn at ILEC Request Due to a Lack of ILEC Facilities or Otherwise	- Diagnostic

Basis for JCIG Standard

The timely receipt of FOCs is required to allow carriers purchasing special access services to communicate due dates and coordinate installation with their end users. The carrier must be able to depend on the FOC due date as an accurate installation date, so it is imperative that the ILEC conducts a facilities check prior to issuing the FOC. Thus, to ensure that the ILEC conducts the facilities check prior to issuing the FOC, JIP-SA-1 provides a longer time frame in which the ILEC must return the FOC than some comparable standards (such as those for UNEs). For example, in the UNE context, Tennessee requires ILECs to return FOCs within 1 hour if the order is processed on a fully mechanized basis. Other states similarly require FOC returns within a matter of a few hours when electronic orders are submitted. *See, e.g.*, NY-Verizon Carrier to Carrier Standards and Metrics, OR-1 (2 hours for POTS/Pre-Qualified Complex flow-through orders). Even for orders requiring some degree of manual processing, a standard of 48 hours or less is common. *See, e.g.*, TN-O-91 – Firm Order Confirmation Timeliness (48 hours for interconnection trunks). Because the ASR process is largely mechanized, similar response times could be achieved in the special access context.

A time limit of two business days for DS0 and DS1 circuits and five business days for DS3 circuits is reasonable because it provides an ILEC with a sufficient amount of time in which to conduct the facilities check. In many instances, the ILEC can verify electronically that sufficient facilities exist. For example, in its August 16, 2002, *ex parte*, Verizon confirms that the facilities check process "is now being automated." (*Verizon ex parte* at 9, n.10). SBC also has stated that it conducts electronic facilities checks. Qwest states that it already returns FOCs within 72 hours. With electronic facilities checks, an ILEC should be able to return a reliable FOC within the 2 day/5 day standards proposed.

Finally, recently released SBC audit data demonstrate that, on average, SBC returned FOCs for both DS1s and DS3s to its 272 affiliate within one day. *See SBC 272 Audit Report*, Performance Measure Differences, Attachment A-7, Objective VIII, Procedure 3 at 2 (filed in CC Docket No. 96-150 on Sept. 16, 2002). The SBC audit data does not

disclose whether SBC conducts a facilities check prior to issuing FOCs. If SBC conducted a facilities check prior to issuing the FOCs that formed the basis of the audit data, then such data demonstrate that ILECs have provided – and can provide – FOCs in shorter timeframes than stated in the JCIG proposal, and thus, that the JCIG proposal is attainable. Non-discrimination requirements obligate SBC to provide at least this same level of performance for non-affiliates.

If SBC did not conduct a facilities check prior to issuing the FOCs, such data indicates that SBC has returned FOCs in one-half of the time – without a facilities check – proposed by JCIG. Therefore, the additional time (beyond what SBC has reported) provided in the JCIG metric (one day for DS0s and DS1s and 4 days for DS3s), should be sufficient for SBC and other Tier 1 LECs to conduct the facilities check prior to issuing a FOC.

ILEC Performance Measurements and Standards

ORDERING

Measurement: JIP-SA-2 FOC Receipt Past Due

Description

The FOC Receipt Past Due measure tracks all ASR requests that have not received a FOC from the ILEC within the expected FOC receipt interval, as of the last day of the reporting period, and do not have an open, or outstanding, Query/Reject. This measure gauges the magnitude of late FOCs and is essential to ensure that FOCs are being received in a timely manner from the ILECs. A distribution of these late FOCs, along with a report of those late FOCs that do have an open Query/Reject, is required for diagnostic purposes.

Levels of Disaggregation

- DS0
- DS1
- DS3
- OCn

Performance Standard

Percent FOC Receipt Past Due – Without Open Query/Reject	< 2.0 % FOC Receipt Past Due
FOC Receipt Past Due – Without Open Query/Reject - Distribution	- Diagnostic
Percent FOC Receipt Past Due – With Open Query/Reject	- Diagnostic

Basis for JCIG Standard

The purpose of this metric is to provide information about FOCs that are past due. The Percent FOC Receipt Past Due without open query/reject measurement is the inverse of the standard set forth in JIP-SA-1. If ILECs return 98% or more of the FOCs within the specified time period, then fewer than 2% of the FOCs should be received late. Therefore, the rationale for the performance standard in JIP-SA-1 also applies to this metric.

The diagnostic measures provide information on the magnitude of late orders (whether orders are 2 days late, 5 days late, etc.).

ILEC Performance Measurements and Standards

ORDERING

Measurement: JIP-SA-3 Offered Versus Requested Due Date

Description

The Offered Versus Requested Due Date measure reflects the degree to which the ILEC is committing to install service on the CLEC or IXC Carrier Requested Due Date (CRDD), when a Due Date Request is equal to or greater than the ILEC stated interval. A distribution of the delta, the difference between the CRDD and the Offered Date, for these FOCs is required for diagnostic purposes.

Performance Standard

Percent Offered with CRDD (where CRDD = > ILEC Stated Interval) = 100%
Offered versus Requested Interval Delta – Distribution - Diagnostic

ILEC Stated Intervals: To be determined by ILEC

Basis for JCIG Standard

Percent Offered with CRDD

JIP-SA-3 examines orders where the CRDD is equal to or greater than the ILEC's stated standard interval. In these situations, the ILEC always should return a FOC for the requested date. Indeed, Verizon, SBC, and Qwest all state that this is their policy. *See Verizon ex parte* (Aug. 16, 2002); *SBC ex parte* (Aug. 23, 2002); *Qwest ex parte*, Attachment at 3 (Aug. 8, 2002). The JCIG standard merely holds these ILECs to their policy.

A 100% standard is proposed in recognition of the critical role that certainty and dependability play in the special access process. Carriers often are required to submit bids to end users with specific installation dates or specific installation windows. Moreover, in many cases, SLAs with an end user will include penalties if circuits are not provisioned by a specific date. Carriers must be able to rely on the ILEC's stated interval to satisfy these end user demands. JIP-SA-3's standard provides carriers with the assurances necessary to make these commitments.

Standard Interval

The diagnostic examines the delta between the offered and requested dates. JCIG proposes that the offered interval should be no longer than the least of: the standard interval (as described below); the ILEC stated interval; or the interval actually provided to the ILEC's affiliates or retail customers in that state.

JCIG proposes that the standard intervals for provisioning be 7 days for DS0s, 7 days for DS1s, and 14 days for DS3s. As illustrated herein, the proposed standard is based on an average of the ILECs' own posted installation intervals. In each case, at least one ILEC offers a stated interval that is shorter than the interval established under the proposed standard.

	Low	High	Average
DS0	5	12	7
DS1	5	9	7
DS3	7	20	13

ILEC Performance Measurements and Standards

PROVISIONING

Measurement - JIP-SA-4 On Time Performance To FOC Due Date

Description

On Time Performance To FOC Due Date measures the percentage of circuits that are completed on the FOC Due Date, as recorded from the FOC received in response to the last ASR sent. Customer Not Ready (CNR) situations may result in an installation delay. The On Time Performance To FOC Due Date is calculated both with CNR consideration, *i.e.*, measuring the percentage of time the service is installed on the FOC due date while counting CNR coded orders as an appointment met, and without CNR consideration.

Levels of Disaggregation

- DS0
- DS1
- DS3
- OCn

Performance Standard

Percent On Time to FOC Due Date - With CNR Consideration = > 98.0% On Time
Percent On Time to FOC Due Date - Without CNR Consideration - Diagnostic

Basis for JCIG Proposal

This JCIG standard follows from the proposition that if an ILEC establishes the promised date (especially if it does so after conducting a facilities check), then it should meet – and be held to – that date. In many instances, the customer must have other vendors on site (to install new equipment, make other changes, etc.) at the same time as the ILEC vendor to ensure a seamless installation. Therefore, the customer must be able to rely on the FOC date such that it can coordinate the installation activities of all of its vendors.

The FOC operates as a date certain on the customer side. That is, the ILEC expects the customer to be ready for the installation on the ILEC-established date, and the ILEC imposes penalties on the customer (whether a carrier or the ILEC end user) if it is not ready to receive services on the FOC date. ILECs must similarly be held accountable, particularly since it is the ILEC that establishes the due date.

As explained above (*see* JIP-SA-1), the ILEC is to return the FOC only after it has conducted a facilities check. Thus, carriers expect the FOC date to be a "real" date, and not merely an estimated date. The only exceptions to the FOC date being a real date should be circumstances beyond an ILEC's own control. These would be rare occurrences, and the 2% margin allows sufficient leeway for unexpected circumstances.

In our experience, ILECs frequently provide FOCs without having conducted a reliable facilities check. In other situations, ILECs postpone conducting work necessary for the installation to occur on the FOC date until too late in the process, thus leading to missed orders. ILECs will not have any incentive to correct these deficiencies absent a rigorous standard for On Time Performance.

The JCIG Standard would improve current ILEC performance, and is attainable. In the 2001 ARMIS data, at least two ILECs reported On Time Performance of greater than or equal to 96%. Since 1998, every Tier 1 ILEC has reported an On Time Performance above 90% and 4 of the 6 have reported at least one year in which they exceeded 95%.

Further, in some instances the ILECs have agreed to performance standards approximating the JCIG standard. SWBT's "MVP Tariff" commits to provide On Time Performance of up to 97.7% for DS0s and 96.7% in DS1s. *See* SWBT FCC Tariff No. 73, § 38.3.

ILEC Performance Measurements and Standards

PROVISIONING

Measurement: JIP-SA-5 - Days Late

Description

Days Late captures the magnitude of the delay, both in average and distribution, for those circuits not completed on the FOC Due Date, and the delay was not a result of a verifiable CNR situation. A breakdown of delay days caused by a lack of ILEC facilities is required for diagnostic purposes.

Levels of Disaggregation

- DS0
- DS1
- DS3
- OCn

Performance Standard

Average Days Late	< 3.0 Days
Days Late Distribution	- Diagnostic
Average Days Late Due to a Lack of ILEC Facilities	- Diagnostic

BellSouth/Time Warner Proposal

Average Days Late	< 5.0 days for year 1, 3 days for year 2.

Basis for JCIG Proposal

Similar to JIP-SA-4, the purpose of this standard is to enable carriers to rely on the ILEC-provided FOC. The ILEC should not miss the FOC date absent circumstances beyond its control. If the ILEC misses the FOC date, however, then it should complete the circuit promptly.

JCIG believes an average of three days for missed circuits is reasonable and attainable. The New York Commission has established three days as the appropriate standard. Further, three days is the standard that BellSouth commits to meet after the first year under the BellSouth/Time Warner proposal. All Tier 1 LECs should be expected to meet this standard.

ILEC Performance Measurements and Standards

PROVISIONING

Measurement: JIP-SA-6 - Average Intervals - Requested/Offered/Installation

Description

The intent of this measure is to capture three important aspects of the provisioning process and display them in relation to each other. The Average CLEC or IXC Carrier Requested Interval, the Average ILEC Offered Interval, and the Average Installation Interval, provide a comprehensive view of provisioning, with the ultimate goal of having these three intervals equivalent.

Levels of Disaggregation

- DS0
- DS1
- DS3
- OCn

Performance Standard

Average Requested Interval	- Diagnostic
Average Offered Interval	- Diagnostic
Average Installation Interval	- Diagnostic

ILEC Performance Measurements and Standards

PROVISIONING

Measurement: JIP-SA-7 Past Due Circuits

Description

The Past Due Circuits measure provides a snapshot view of circuits not completed as of the end of the reporting period. The count is taken from those circuits that have received an FOC Due Date but the date has passed. Results are separated into those held for ILEC reasons and those held for CLEC or IXC Carrier reasons (CNRs), with a breakdown, for diagnostic purposes, of Past Due Circuits due to a lack of ILEC facilities. A diagnostic measure, Percent Cancellations After FOC Due Date, is included to show a percent of all cancellations processed during the reporting period where the cancellation took place after the FOC Due Date had passed

Levels of Disaggregation

- DS0
- DS1
- DS3
- OCn

Performance Standard

Percent Past Due Circuits - Total ILEC Reasons	< 3.0 % > 5 days beyond FOC Due Date
Percent Past Due Circuits - Due to Lack of ILEC Facilities	- Diagnostic
Percent Past Due Circuits - Total CLEC Reasons	- Diagnostic
Past Due Circuits Distribution	- Diagnostic
Percent Cancellation After FOC Due Date	- Diagnostic

BellSouth/Time Warner Proposal

Percent Past Due Circuits – Total BellSouth Reasons	< 3.0 % > 5 days beyond FOC Due Date.

Basis for JCIG Proposal

JIP-SA-7 provides a snapshot of pending circuits. There is no basis for more than a small percentage of the circuits (if that) to be significantly late. The 3.0% standard is reasonable and attainable. BellSouth, for example, already has agreed to this identical standard in its agreement with Time Warner. Moreover, if an ILEC meets the standard in JIP-SA-5 (*i.e.*, has a monthly average of 3 days late or less), only a small percentage of orders should be 5 days or more late at any given time. Allowing for a 3% leeway in this snapshot recognizes the occasional circumstances beyond an ILEC's control that prevent the ILEC from satisfying the FOC date. Any percentage greater than 3% signifies the likely existence of problems within the ILEC's control.

ILEC Performance Measurements and Standards

PROVISIONING

Measurement: JIP-SA-8 New Installation Trouble Report Rate

Description
New Installation Trouble Report Rate measures the quality of the installation work by capturing the rate of trouble reports on new circuits within 30 calendar days of the installation.

Levels of Disaggregation
- DS0
- DS1
- DS3
- OCn

Performance Standard
New Installation Trouble Report Rate <= 1.0 trouble reports per 100 circuits installed

Basis for JCIG Proposal
As a result of the network troubles sought to be measured herein, end user customers encounter significant service delays.

Absent this measurement, ILECs will not have a sufficient incentive to ensure that the circuits that they provision are provisioned correctly and are not subject to any underlying problems. If an ILEC is held only, for example, to an On Time Performance standard, it will have an incentive to install the circuit on time, so as to satisfy the FOC date, even if it knows that there is a problem with the circuit (facility or otherwise) such that the circuit likely will fail within a short period of time. This measurement will promote integrity in the installation process.

This measurement is reasonable and attainable. Some ILECs already record this data and provide it to their carrier customers.

ILEC Performance Measurements and Standards

MAINTENANCE & REPAIR

Measurement: JIP-SA-9: Failure Rate

Description

Failure Rate measures the overall quality of the circuits being provided by the ILEC and is calculated by dividing the number of troubles resolved during the reporting period by the total number of "in service" circuits, at the end of the reporting period, and is then annualized by multiplying by 12 months.

Performance Standard

Failure Rate Annualized	- Below DS3	<= 10.0%
	- DS3 and Above	<= 10.0%

Basis for JCIG Proposal

Capturing the overall failure rate is necessary to assess the ILEC's overall performance, and to avoid the installation of circuits that are fraught with troubles and likely to fail.

The proposal recognizes that some circuit failure is beyond the ILEC's control. Any failure greater than 10% (on an annualized basis) signals problems within the ILEC's control. In fact, ILECs already recognize that this metric is attainable; as one example, SWBT's FCC Tariff No. 73 provides for a failure rate as low as 10.6% (annualized) for DS1s. *See* SWBT FCC Tariff No. 73, § 38.3. There is no basis for other Tier 1LECs not to achieve a similar annualized percentage (10%).

ILEC Performance Measurements and Standards

MAINTENANCE & REPAIR

Measurement: TIP-SA-10 Mean Time to Restore

Description

The Mean Time To Restore interval measures the promptness in restoring circuits to normal operating levels when a problem or trouble is referred to the ILEC. Calculation is the elapsed time from the CLEC or IXC Carrier submission of a trouble report to the ILEC to the time the ILEC closes the trouble, less any Customer Hold Time or Delayed Maintenance Time due to valid customer, CLEC, or IXC Carrier caused delays. A breakdown of the percent of troubles outstanding greater than 24 hours, and the Mean Time to Restore of those troubles recorded as Found OK / Test OK, is required for diagnostic purposes.

Levels of Disaggregation

- Below DS3 (DS0 + DS1)
- DS3 and Above (DS3 + OCn)

Performance Standard

Mean Time to Restore	- Below DS3	<= 2.0 Hours
	- DS3 and Above	<= 1.0 Hour
% Out of Service > 24 Hrs		- Diagnostic
Mean Time to Restore – Found OK / Test OK		- Diagnostic

Basis for JCIG Proposal

Customers rely on telecommunications networks to be up and running 24 hours per day/7 days per week. Customers have a right to expect that the networks will be repaired promptly. A circuit offering "four nines" of reliability (*i.e.*, the circuit is available 99.99% of the time) would be down less than one hour over the course of an entire year. Therefore, the proposed standard reflects the goal of providing a "four nines" of reliability in special access.

ILECs already track and record maintenance and repair statistics in several forums. For example, several ILECs already report this data to their carrier customers. ILECs also track this data for purposes of the 272 reports, and in accordance with certain state requirements.

Data from the SBC 272 audit report demonstrate that SBC restored over 50% of the circuits of its affiliates within one hour of circuit failure. *See SBC 272 Audit Report*, Performance Measure Differences, Attachment A-7, Objective VIII, Procedure 3 at 3. Although the data does not illustrate the mean time to restore, it does demonstrate that SBC restored over half of the circuits (to their affiliates) promptly, and thus, that SBC – and other ILECs – are capable of restoring circuits to their carrier customers in significantly shorter time frames than they currently provide.

ILEC Performance Measurements and Standards

MAINTENANCE & REPAIR

Measurement: JIP-SA-1 Repeat Trouble Report Rate

Description
The Repeat Trouble Report Rate measures the percent of maintenance troubles resolved during the current reporting period that had at least one prior trouble ticket any time in the preceding 30 calendar days from the creation date of the current trouble report.

Levels of Disaggregation
- Below DS3 (DS0 + DS1)
- DS3 and Above (DS3 + OCn)

Performance Standards

Repeat Trouble Report Rate	- Below DS3	<= 6.0%
	- DS3 and Above	<= 3.0%

Basis for JCIG Proposal
Repeat troubles often signify a latent weakness in the network. The repeat trouble report rate must be tracked so that ILECs can do the work necessary to fix the problems. This standard reflects a goal of providing a reliable special access network.

Some ILECs, such as Qwest, already measure repeat trouble trends. (*Qwest ex parte*, Aug. 8, 2002.) Additionally, ILECs already report repeat data to carrier customers. The data reported to JCIG members indicate that ILECs can obtain repeat trouble report rates that are significantly lower than those proposed by BellSouth/Time Warner.